

IN THE CROWN COURT AT SHEFFIELD

The Court House,
Castle Street,
Sheffield.

20th May, 1985.

Before

HIS HONOUR JUDGE GERALD COLES, Q.C.

REGINA

-v-

WILLIAM ALBERT GREENAWAY,
DAVID MOORE,
BERNARD JACKSON,
GEORGE KERR McLELLAND FOULDS,
BRIAN IRVINE MORELAND,
ERNEST BARBER,
DAVID RONALD COSTON,
KEVIN MARSHALL,
ARTHUR HOWARD CRICLOW,
GEORGE WARWICK FORSTER,
JAMES O'BRIEN,
CRAIG WADDINGTON,
ERIC SCOTT NEWBIGGING,
STEFAN WYSOCKI and
DAVID BELL

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APPEARANCES

Prosecution:	MR. B. WALSH, Q.C. and MR. K.R. KEEN
Mr Albert Greenaway:	MR. G. TAYLOR
Moore:	MR. M. MANSFIELD
Mr Jackson:	MR. M. MANSFIELD
Mr Kerr McLelland Foulds:	MR. P. O'CONNOR
Mr Irvine Moreland:	MRS. V. BAIRD
Mr Barber:	MISS M. RUSSELL
Mr Ronald Coston:	MRS. V. BAIRD
Mr Marshall:	MR. E. REES
Mr Howard Crichlow:	MR. P. O'CONNOR
Mr Warwick Forster:	MRS. V. BAIRD
Mr O'Brien:	MR. P. GRIFFITHS
Mr Waddington:	MR. M. MANSFIELD
Mr Scott Newbigging:	MR. E. REES
Mr Wysocki:	MISS M. RUSSELL
Mr Bell:	MISS M. RUSSELL

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20th May, 1985

ANTHONY RAYMOND CLEMENT Recalled

MR. WALSH: Your Honour, I wonder if it might assist the jury - I have spoken to one or two of my learned friends because they now have a number of exhibits and people might be referring to them by numbers in due course - if I were to give Your Honour and the jury so far so they can mark each item what exhibit number it is.

JUDGE COLES: Right.

MR. WALSH: Exhibit No. 1 is the Ordnance Survey map. If you wish, members of the jury, write No. 1. What I think I will do, although it may need updating from day to day, is to see if I can have a typed list of exhibits prepared so the jury have them and then if any new exhibit comes in they can add on to their own list the number as it comes.

JUDGE COLES: Yes.

MR. WALSH: We will do that. No. 1 is the Ordnance Survey map. No. 2 is the local plan with the colouring on it. No. 3 is the local plan extended. That is the longer one showing the road going over the bridge.

JUDGE COLES: That is not coloured?

MR. WALSH: Not coloured. I wonder if some of the jury are without their No. 4 is the large aerial photograph. No. 5 is the album of photographs in Highfield Lane near the coke plant which I think the jury may have got a letter A on the front. That is Exhibit 5.

JUDGE COLES: That is just the bundle of views?

MR. WALSH: Yes. No. 6 is the album of photographs of barricades and damage taken on the 18th of June which starts with the photograph where you have to hold the book sideways. No. 7 will be the video film and if necessary the reels can be numbered A to E. No. 8 is the single colour photograph put in by the Defence when cross-examining.

JUDGE COLES: We are short of copies of that. Do you have a copy, members of the jury?

A JURY MEMBER: No, sir.

JUDGE COLES: Nor do I. I do not know. If the Defence wish to - if the Crown can assist the Defence in procuring the photograph?

MR. WALSH: I do not imagine we can because all we have been given is a print.

MISS RUSSELL: It will be seen to by the Defence.

JUDGE COLES: That was Exhibit No. 8?

MR. WALSH: Yes. And No. 9 is the recent album, the album recently put in to the jury of other photographs of the scene going up to and over the bridge.

JUDGE COLES: Yes. Those are the photographs taken on your instructions?

MR. WALSH: That is right. I think these were taken just a few days ago. That is Exhibit 9. That is where we are to date.

JUDGE COLES: Good. Thank you. Now, yes.

MISS RUSSELL: Members of the jury, let me introduce myself to you. I am Margaret Russell. I represent three defendants. Mr. Ellis Barber sits in the front row from Mansfield, Mr. Stefan Wysocki who is also from Mansfield and David Bell who is from Fife in Scotland.

Cross-examined by MISS RUSSELL:

- Q. Mr. Clement, have you exaggerated anywhere in your evidence at all? - A. Not that I am aware.
- Q. If I can just deal with one point initially. You have repeatedly told this jury about seeing organised groups coming down Highfield Lane, for example? - A. Yes.
- Q. Can you just tell the jury whether when you watched the video you saw one example of such an organised group? - A. I thought I did, yes.
- Q. You thought you did? - A. Yes.
- Q. One example or more than one? - A. No, I saw a number of people coming down Highfield Lane who I thought from the video film - and my evidence is not only confined to the video film of course - who looked to be keeping in groups.
- Q. So far as that is concerned were they anything other than, as it were, groups of people who may have arrived together? - A. No.
- Q. Did you see on the video any of the people directing them in the way you described to the jury? - A. I thought I did, yes.
- Q. When was that? - A. Well, I cannot give the exact time but I saw at least one example.

- Q. Did you tell a reporter that to be a riot there had to be terrified civilians present? Is that something that you told a reporter was your understanding of a riot charge?
- A. No, I do not think so. I do not think so.
- Q. You do not think that is something you have ever said to a reporter? - A. I would not have thought so.
- Q. Did you feel that civilians had to be present at any time?
- A. Well, not necessarily but there were a lot of course.
- Q. On this particular day? - A. Civilians?
- Q. Yes. - A. Yes, there were a lot of people about.
- Q. Apart from demonstrators? - A. Including lorry drivers, including people who worked at the coking plant. I suppose even the ambulancemen are civilians. There were a lot of them about.
- Q. Would you describe yourself as a sensible tactician?
- A. I would think so, yes.
- Q. You did not want to do anything that day that could be seen as provocative unnecessarily, did you? - A. No, but I accept some of the things that had to be done might have been provocative.
- Q. If I can just deal with one of the things you say had to be done. We had rather a graphic example of on Friday the sending in of those short shield Officers at an early stage? - A. Yes.
- Q. Can you explain how it comes about we did not hear anything at all on the video about you giving an order to those short shield Officers that they are only to use their truncheons if they are attacked? - A. No.
- Q. Did you give that as part of the order? - A. No. I said they were to go out and they were to disperse the demonstrators and make arrests and I added the warning that of course do not hit at heads and you heard that on the video.
- Q. No, we do not hear that on the video, you see. - A. Oh.
- Q. What we hear on the video is go for bodies, not heads. Did you tell your short shield Officers to disperse that crowd by going for bodies with their truncheons? - A. No. The short shield Officers were told if you use your truncheons go for the bodies, not for the heads. If you use them.
- Q. How were they going to disperse the crowd? - A. You saw how they dispersed the crowd. Their mere presence dispersed the vast majority of the crowd. Only those who stood and fought were not dispersed.

- Q. Did it occur to you there might be a danger of sending those out with an order go for bodies, not for heads to disperse the crowd, those Police Officers might feel they had, as it were, an open hand to hit out at the unprotected bodies of the demonstrators? - A. No, I do not think that at all. Orgreave was very dangerous that day for at least six hours. Their instructions were if you have to use your truncheons do not hit at anybody's head if you can avoid it.
- Q. We do not hear the words if you have to use your truncheons, do we? - A. I should think there is a lot of words I used at Orgreave that day not picked up on that film.
- Q. Maybe so but the only thing that comes over loud and clear is bodies, not heads? - A. I should think that is about right, yes.
- Q. Why did not you give them your own Force's instruction on the use of truncheons? - A. Because this was a totally unique situation. It was not the ordinary punch up in the High Street on a Saturday night. This was a riot situation and men being sent in front of the Police lines to deal with rioters must use their own initiative to a large extent because we knew they would be out of range of communications of Senior Officers. It was up to them to use their initiative and disperse the crowd as they had been told to do.
- Q. It was not up to them to use their initiative because they had been given a direct order bodies, not heads, had not they? - A. That is right. I am talking in the way they dispersed the crowd and the way they made their arrests a matter for them.
- Q. What do your own Force Regulations say about the parts of the human being where the truncheon should be used if it is necessary to use it? - A. I think arms and shoulders basically.
- Q. Do not you know your own Force Regulation on the use of truncheons? - A. It is a long time since I have looked at them.
- Q. And you are an Assistant Chief Constable but you do not know your own Force's Regulations? - A. Was an Assistant
- Q. On where truncheons were to be used? - A. You did not say where they were to be used. You said what part of the body.
- Q. I say where. Will you take it I mean parts of the body? - A. Right. Certainly not the head.
- Q. "In using them" - and I am quoting now. "Truncheons are supplied to Police Officers to protect themselves if violently attacked." - A. Right.
- Q. "And will be carried whilst on duty in uniform. In using

them Officers should aim at the arms and legs as these parts of the body are less likely to suffer serious injury." - A. I said arms and shoulders. Not the heads.

- Q. Forgive me. If you start using a truncheon around somebody's shoulder you are getting very close to the head, are not you? - A. Course you are.
- Q. That is not what your own Force Regulation says about where truncheons should be used, is it? - A. If you hit someone there are you hitting them on the arm? I would say you are. That is very close to the head. When a situation develops in which an Officer has got to use his truncheon that is a serious situation.
- Q. We are talking, forgive me, Mr. Clement, about a body of men who are about to be sent out into the crowd you say now to disperse the crowd? - A. And make arrests.
- Q. You are not suggesting as you were previously they were just there to look after the horsemen, are you? - A. No. Never have said that.
- Q. You did say that earlier. Keep close to protect the horsemen. Are you dropping that part of your evidence now? - A. No. That is their job as well.
- Q. You agree they are sent out to disperse. The order you give them is not in line with your own Force Regulation? - A. But the Force Regulations are drawn up to deal with ordinary policing situations. There has never been an incident I think in this country where 4,600 Police Officers have been in an area of about 200 square yards.
- Q. Forgive me because the Force Regulation goes on, "The use of the truncheon is only to be resorted to in extreme cases." - A. Right.
- Q. Where all other So it takes into account it is an extreme situation to use a truncheon in the first place. I will ask you again. Why did not you give the order go for arms and legs, not bodies and heads? Why did not you give that order? - A. It is a very simple answer. I did in effect say, "Don't hit on the heads. Body only."
- Q. Yes, but the body does not come within your Force Regulations, does it? - A. Surely the body includes the arms and the legs.
- Q. The reason given in your own Force Regulation is the arms and the legs are less likely to suffer serious injury? - A. Right.
- Q. You know as well as anyone else if an Officer hits somebody with a truncheon around the body they can obviously do serious injury, cannot they? - A. Yes.
- Q. And the reason why it is arms and legs is because those

parts of the human anatomy are less likely to suffer serious injury? - A. Yes, and in ordinary circumstances I would hope those Regulations are adhered to 100 per cent.

Q. And you chose the very first time, not talking about later in the day, the very first time they were sent out you chose to ignore your own Force Regulation. Is that the position? - A. I dispute that.

Q. Was it you just were not familiar enough to be able to quote it exactly? - A. No. I told them not to use the truncheons on the heads but to use them on the arms and the bodies. If necessary of course.

Q. Yes. The only thing we do not hear on the video is if necessary or only if you are attacked? - A. Well, the ordinary standing orders refer to the fact the truncheon is given to the Officer to defend him against attack, defend himself.

Q. I suppose you would hope your Officers are as familiar with the Regulations as you are - A. Yes, I hope so.

Q. Looking at your tactics a little more, you decided to clear the field or that area of Orgreave to stop injuries to your Officers and to capture the source of supply of missiles. Is that it? - A. Yes, a source of supply.

Q. I am quoting from your own statement now. Will you accept this is from your own statement which you say was made on the day? "... to stop injuries to my Officers and to capture the source of supply of missiles." - A. All right, yes, fair enough.

Q. The source. So to do that sensibly bearing in mind according to you you had something like 2,000 people who were prepared to throw stones at your Police Officers - A. To be violent.

Q. To be violent. - A. Yes.

Q. you decide sensibly the best place to drive them is towards the railway line? - A. Yes.

Q. What is one of the things anyone who knows or anyone has seen a railway would notice, Mr. Clement? - A. I should think there are a number of things one would notice about a railway line. Trains go along it, signal boxes, bridges cross it, usually has banks.

Q. People work on it. Yes, go on. - A. All those sort of things.

Q. Think of a railway line stretching into the distance. Think of the sleepers and the rails. What do they rest

- on? - A. Stones.
- Q. Yes. Huge quantities of stones, Mr. Clement. - A. Yes.
- Q. You as a sensible tactician with 2,000 violent people decided to drive them precisely towards the biggest supply of stones probably around in the Orgreave area? - A. No.
- Q. No? - A. No.
- Q. You did not expect them to go down the railway embankment? - A. No. I expected them to go across the bridge.
- Q. You expected 6,000 people to be able to go across a 20 foot bridge, did you? - A. I would have expected.
- Q. In an orderly fashion one by one? - A. You do not need to go across one by one. You know that. The bridge was there to be crossed. There were possibly 4,000 non-violent people there. They saw what was happening. At any time they could have turned round and walked across that bridge and got away. The violent ones, that is up to them. If they want to stay and fight they stay and fight. I cannot do anything about that.
- Q. If I am in a field doing absolutely nothing wrong and I have a Police horse coming towards me at a gallop followed by a number of Officers with short shields and truncheons I suppose if they are coming at me at speed I may consider although it would be quite nice to turn round and walk over the bridge I may be safer running down the embankment? - A. That is possible, yes.
- Q. So you did think it was possible people would run down the railway embankment? - A. I expected people to scatter, yes.
- Q. I am interested in your tactics. If you say as many as 2,000 throwing stones, did not occur to you you were putting your Officers at a graver risk driving them towards an area almost inevitably going to be littered with stones? - A. No. I did not say there were 2,000 throwing stones. I said 2,000 obviously prepared to use violence. As far as driving them towards the railway line is concerned we made the first move and stopped 80 to 100 yards up the field still a long, long way from the railway line.
- Q. Not everyone on that field would have had the gift of being able to look into your mind and realise at that point you intended to drive them all the way back? - A. In the same way I could not look in the minds of the rioters. Did not know what they were going to do.
- Q. You have cut the number down. Not 2,000 throwing stones now. It is 2,000 who are prepared to use violence? - A. Seemed to me to be about that. I was proportioning it roughly 70 to 30, something of that sort.
- Q. Cutting down now the numbers of actual stonethrowers, are

- we? - A. Yes.
- Q. Not as a result of - A. No-one has ever said 2,000 people threw stones. If 2,000 people threw stones; enormous number of injuries. I would have acted quite differently if 2,000 people were throwing stones. They were not.
- Q. Let's look at the next area tactically. 2,000 people prepared to use violence. You know the other side of the railway bridge if you drive them across it is a scrap yard? - A. Yes.
- Q. Of all the places where one is likely to be able to find things to throw or do mischief with I suppose a scrap yard must be highest on the list? - A. Very high on the list, yes.
- Q. That must have really worried you as to whether it was necessary to drive them all the way back when you knew you were going to drive them to such a dangerous area? - A. Had to be done. It was a risk, an acceptable risk.
- Q. An acceptable risk? - A. Yes.
- Q. Your Officers might face considerably more injury by your action than they had hitherto faced. That was an acceptable risk, was it? - A. Yes.
- Q. All this is to capture the supply of missiles and protect your Officers? - A. Basically, yes.
- Q. You had in fact driven them past the scrap yard, had not you? - A. Yes, they eventually went past the scrap yard.
- Q. First time round. So we can get it clear, when you had driven them past first time round no barricades? - A. No.
- Q. No people throwing things from the scrap yard first time round? - A. Right.
- Q. They are all back in the village, are not they? - A. Well, they are back towards the village, yes.
- Q. Because we know according to you you then stand on the coping by the railway bridge and there you come across really what is your big surprise? - A. No, not a great surprise. There were more than I thought. There were more than I thought.
- Q. Was it or was it not a big surprise there were suddenly all these people there? - A. No. I knew there were a lot of people because we had been dealing with them all morning. There was just more than I thought. They seemed to be more compressed, as they were of course.
- Q. You say you saw that, did you, from standing on the coping?

- A. Yes. They were on the roads, on the footpaths, on the grass verge, into the scrap yard, into the field, to the right, some on the bankings, yes.
- Q. Let's just deal with that. Could you see back as far as Highfield Lane from your coping, the junction, Orgreave Lane, where Highfield Lane just begins, does not it? - A. Right up?
- Q. The junction. - A. The pit lane goes down to the left.
- Q. If we can have a sign on the photographs it might be easier.
- Q. JUDGE COLES: Just before you get to Asda? - A. Yes. It is the main junction past the bridge. No, you cannot see as far as that.
- Q. MISS RUSSELL: So you could not see back as far as that? - A. No.
- Q. Right. If we look at that we can see the junction just past the houses. You could not see up to there. Is that right? Do I understand you now? - A. Yes, that is right, yes.
- Q. Had your Officers gone as far as there, do you know? - A. No, they had not. At least I do not think so. The individual one or two might have done but certainly I do not think any large number of Police Officers got there.
- Q. So no large number of Police Officers had gone up to the junction? - A. Right, if any.
- Q. How far did the mounted Police go, do you say? - A. The mounted Police eventually went up towards that junction.
- Q. Where did they stop? Did you see them stop? - A. No, I did not, no.
- Q. You have no idea how far the mounted Police went? - A. No.
- Q. When you stand on your coping stone and look along where do you say these 8,000 people were? - A. Firstly, I would think you could see just beyond the houses.
- Q. Mr. Clement, forgive me. What do you mean you would think you could see just beyond the houses? According to you you stood on the bridge and you looked there. - A. Yes. I was looking at people, not houses.
- Q. Yes. Well, how far back did the people stretch? - A. Yes, this is what I am telling you.
- Q. Tell me. - A. You can see just beyond where the houses started and they were packed on the road. If you look at the aerial photograph you will see what appears, I

think, to be three lorries parked side by side by a big open space. They were into that area there, they were on the road stretching back past the houses, they were in the field to the right of the houses, that mass there.

- Q. You say they were stretching back past the houses. The houses finish at the junction. - A. I am sorry. Past the start of the houses. I am talking about seeing past the start of the houses.
- Q. JUDGE COLES: As far as you could see along the road there were people? - A. As far as I could see.
- Q. MISS RUSSELL: Can you just indicate a line down as far back as you could see? - A. I will draw a line down about as far as we could see. I say we because there was another Officer as well.
- Q. Who is the other Officer? - A. Certainly one who was with me at the time was Mr. Povey, Superintendent Povey.
- Q. Was he standing on the wall as well? - A. He actually got up on the wall first.
- Q. The same side as you or the other side? - A. No, on the same side.
- Q. He gets up, gets down, then you get up, do you? - A. No, no, he did not get down. I got up as well.
- Q. So you are both on the same coping stone? - A. No. He was then on the wall. I stood on the coping stone. He came up. I stood there and looked.
- Q. Can you show us where you have drawn the line? - A. Drawn a line there. The first house I believe is a bungalow. The second one may be as well. I have drawn a line across there, circled that area to indicate where I believe the vast majority of people were.

MR. WALSH: I wonder if it might help - Mr. Clement has been using what I suspect is an ordinary pencil - I have a coloured felt tip. It might for everyone's benefit

JUDGE COLES: Yes, much better.

MR. WALSH: I think green.

MISS RUSSELL: I wonder if the jury might have sight of that.

THE WITNESS: I am talking about that sort of area encompassing the scrap yard. There is another company up on the left I believe called Manning Vanning.

- Q. JUDGE COLES: You have also drawn an incline across that circle, have you not? Does that mark the area of

your actual vision up to about there? - A. Certainly does so far as the road is concerned but you can of course look across this way and across that way. The road does rise. There is a brow. You can see people just beyond the brow, I would think.

Q. May I just have a sight of that and Counsel can have a look and the jury before we go on?

Q. MISS RUSSELL: While His Honour is just doing that, have you been to look at this site over the weekend, Mr. Clement? - A. No.

JUDGE COLES: Yes.

MISS RUSSELL: I wonder if I might have a very brief look and then the jury can have a look.

JUDGE COLES: Of course.

MR. WALSH: I suppose this had better be Exhibit 10.

MISS RUSSELL: I think that must be right.

JUDGE COLES: Yes.

(Shown to jury)

Q. MISS RUSSELL: I want to be quite clear about what you are saying. Where are your horsemen and your short shield Officers when you stand on this bridge? Ahead of you or behind you? - A. At that time the horsemen would, I think, all have been behind and the short shield Officers, some would possibly have been on the bridge, others behind.

Q. Was it after that time the horsemen went past? - A. Yes.

Q. So it is after that time when you have, as it were, seen the numbers in the area you send the horsemen in? - A. Right.

Q. And you are saying you formed a view that there were 8,000 or that the 8,000 were all in that area? I want to be clear on that. - A. I formed the view there were about 8,000 over that bridge.

Q. In that area because you could see them all basically or estimate roughly? - A. Yes, there were I think at that time possibly people starting to go away. There was movement across the field, there was movement down the embankment, there was movement round the back of the houses. Yes, there was probably quite a few people going away.

Q. Mr. Clement, you have said it was a surprise to you that there were so many. You then sent in your mounted Police and short shield Officers? - A. I did not quite say it was

a surprise to me.

MR. WALSH: My learned friend put surprise twice. Mr. Clement said no, a little more than I thought.

JUDGE COLES: Yes. Said more than I thought but it was not a great surprise.

- Q. MISS RUSSELL: So far as sending them in at that point what was your object? - A. Well, my object at that stage was to indicate to them all that what they had tried to do had failed. They had not got past the Police cordon, they had not stopped the lorries, they were now over the bridge a long way from the main gate at Orgreave and I was hoping that that 70 per cent of non-violent people would say, "Well, that's it, we are going," and would get back in their coaches at Asda or wherever and go and hopefully I was thinking if that sort of movement developed from the non-violent people perhaps the violent people would say, "Well, we've had our go, we haven't done anything, let's go as well." That was the objective, to get people away.
- Q. And to, as it were, reinforce that message you sent in the mounted horse Police and short shields right into the village? - A. They moved up Highfield Lane into the village, yes, to the start of the village.
- Q. To the start of the village? - A. I am sorry. I cannot say that. I had been told of course. That is hearsay. I do not know. I did not go up there. I believe they went up to the village.
- Q. But you could see up there. You only had to stand on your coping stone and you could see whether the horsemen went out of sight and what effect they had? - A. That is a different matter. Going out of sight and going to the village are two different things.
- Q. Did they go out of your sight? - A. Yes, certainly.
- Q. How far did you tell them to go up? - A. No, I told them to move up Highfield Lane and disperse people because I knew Asda was not very far away and the coaches were at Asda and I was hoping, as I have said, they would go to the car park, get in their coaches and get off.
- Q. Mr. Clement, did you have access to a helicopter at this time? - A. No.
- Q. You were very familiar with Orgreave and the fact it is a very large open space? - A. Yes.
- Q. You could of course have requisitioned one through the NRC, could not you? - A. I suppose I could have requisitioned anything.

JUDGE COLES: NRC.

MISS RUSSELL: If I can explain what that is:

- Q. There was a National Reporting Centre set up within a few days of the start of the strike. The function of that ostensibly was to co-ordinate movements of Police Officers from all over the country to go to anywhere they were needed? - A. Right.
- Q. Through that reporting centre had you so wished, even if South Yorkshire did not have a helicopter, you could have made a request bearing in mind the terrain and the surrounding area was rather a large one for helicopter assistance from another Force, could not you? - A. Could have done, yes.
- Q. You had a lot of experience of Orgreave by the 18th of June? - A. Yes.
- Q. This was the first time you were going to consider pushing people back into the village? - A. Yes.
- Q. Did it not occur to you a helicopter might be of some assistance? - A. Well, if it did I did not act upon it. I certainly did not want a helicopter flying overhead.
- Q. There was one, was not there? - A. Daily Mirror, I think, or Daily Express.
- Q. Another, as it were, thing you could have done. We see on the video while your cordon is down the bottom and most of the demonstrators are right down the bottom a whole line of Police come across. We can see them quite clearly on the video. A whole line move across and stand along the edge of the embankment, do not they? - A. Yes, they do.
- Q. Quite a large number of Police Officers? - A. A single line.
- Q. Yes. - A. Basically a single line of Police Officers.
- Q. JUDGE COLES: That is on the coking plant side of the railway? - A. Of the railway.
- Q. Is that right?
- Q. MISS RUSSELL: It is on the other side of the railway in fact? - A. I am sorry?
- Q. If we look at the video and we are looking up Highfield Lane we see a large number of Officers on our right coming across. They walk across and stand in a line. Remember them, Mr. Clement? - A. Yes. Totally different. Now, that is the Officers who escorted those 700 people who came along the Parkway. Remember I said some coaches stopped in the Parkway, in the City centre, and a large

group marched along the Parkway and some Officers were sent to the Parkway to direct them across. I understand - I do not know - they were South Wales Officers. And after the majority of the people who had been on the Parkway had moved towards Orgreave those Officers in fact walked the wrong way. They walked towards Orgreave village rather than towards the Operations Room.

Q. Whether they walked there the wrong way or by accident the fact of the matter is they were standing there long before you began your push, were not they? - A. H'm. They were on the right-hand side of the railway line.

Q. JUDGE COLES: When you say right-hand side which way are you looking?

MISS RUSSELL: They are here. If we look at the aerial photo from the bridge they are along there.

JUDGE COLES: Yes.

THE WITNESS: I am sorry. I cannot quite see where you are talking about.

Q. MISS RUSSELL: If you hold the plan up. They are along here, are not they? - A. On the coking plant side of the bridge.

Q. No. On the other side of the bridge.

JUDGE COLES: Well, they are on the coking side of the bridge but they are on the opposite side of the road from the medical centre.

MISS RUSSELL: Absolutely. Your Honour has put it much better than I ever could:

Q. Right. - A. I want to get this right. They are on the coking plant side of the railway line.

Q. Yes. - A. Right.

Q. But on the right-hand side of the bridge as we look up? - A. Looking up.

Q. They stand there throughout this mayhem, all these Officers? - A. I do not know if they stood throughout all the mayhem.

Q. There must have been a point when you met them and said, "Excuse me, boys, you are in the wrong place. Should not be here at all"? - A. There were a lot of Police Officers moving up Highfield Lane. If 20 or 30 from South Wales mingled with them I am sorry, I do not know. If they were standing there they were standing there. Really how can I say I saw them and said, "Come on, lads, you are standing in the wrong place"? That is ridiculous.

- Q. JUDGE COLES: It is quite clear you did not speak to them. - A. No.
- Q. Did you see them standing in a line where Counsel says? - A. I have seen them on the video.
- Q. MISS RUSSELL: I suppose, what you are saying about this morning and the atmosphere, you must have been terribly concerned about those Officers standing on that embankment unprotected, 20 or 30 Officers behind the main ranks of Police? - A. Yes, yes.
- Q. Likely to be torn apart by the rioting demonstrators. You must have thought it a matter of urgency to send a messenger up saying go behind the lines to safety? - A. Send a message up?
- Q. When you saw them just standing there watching the cordon. - A. I said I saw them walk across from the Parkway.
- Q. And then just stand there and see them standing there? - A. Yes, on this side of the bridge.
- Q. Yes. - A. The Officers are moving up towards the bridge.
- Q. Before the Officers move up. When you first see them. 20 or 30 unprotected Officers the other side from safety. Did not it occur to you if it was as bad as you say to send up someone to say, "Quick. In the wrong place. Come back"? - A. I did not see 20 or 30 unprotected Officers in danger. I am sorry.
- Q. The reason they were not in danger behind the picket lines right in the middle of the pickets was because the demonstrators were not behaving in the way you have said. That is the truth of the matter, is not it? - A. That is patently nonsense.
- Q. I want to turn for a moment to the demonstrators. I expect you saw news broadcasts about the so-called military organisation of the demonstrators, did you? - A. No, I cannot say that I have. I have seen various news broadcasts.
- Q. Let's just look at the way the demonstrators were organised for a riot. These men are miners, are not they? - A. Presumably, yes.
- Q. They have access to pit helmets and boots, things like that? - A. Yes.
- Q. They do not turn up with their pit helmets and boots on, do they? - A. No.
- Q. They turn up in shorts and shirts and T-shirts and trainers, do not they? - A. Yes.
- Q. To confront your Officers dressed in steel toed boots,

- shin pads? - A. Yes.
- Q. Truncheons, shields? - A. Yes.
- Q. All the equipment we have seen? - A. All that lot, yes, at times.
- Q. Did you arrest a single demonstrator with a pair of shin pads on even? - A. I did not even arrest a single demonstrator.
- Q. Did you hear of the arrest of a single demonstrator with shin pads on? - A. No.
- Q. Did you hear of the arrest of a single demonstrator with a pit helmet on? - A. No.
- Q. So far as posters and banners are concerned, Mr. Clement
-A. Yes.
- Q. those are all things which obviously can be put to a variety of uses, cannot they? - A. Posters and banners. Well, I can imagine banners being put to a variety or certainly another, yes.
- Q. Yes. When you think of it some of those big Union banners, could almost be called lances up the side, they could very easily be adapted if people want to to cause injury and make attacks, could not they? - A. I would think so, yes.
- Q. Nobody turned up with them, did they? - A. I did not see any, no.
- Q. Smaller posters and sticks could very easily be converted into an attacking weapon, could not they - A. I suppose
- Q. by groups of people who have come along to deliberately confront and attack, organised groups? - A. I suppose if they took the poster off the stick they could use the stick.
- Q. Matter of seconds and you could convert that into quite a handy weapon if you were so minded? - A. I would think so, yes.
- Q. They did not turn up like that, did they? - A. I certainly did not see any, no.
- Q. Mr. Clement, this was the hundredth day of the strike, was not it? - A. I do not know. I believe it started on March the 9th. We are now on June the 18th. March, April, May, June. It may well have been, yes.
- Q. Was that a surprise to you? You did not realise on the hundredth day of the strike there were to be national

demonstrations? - A. No.

Q. Never crossed your mind? - A. Never crossed my mind.

Q. No information from the reporting centre? - A. Never heard talk of the hundred day mark until you have just mentioned it. Of no interest to me.

Q. Did you want a battle? - A. No. I wanted them to go away.

Q. I am going to put to you that you deliberately wanted, because it was a significant day, you deliberately wanted and set about trying as much as possible to inflame the situation so that you could have a battle that day. - A. Oh. So assuming I knew it was the hundredth day I then organised thousands of miners to come hundreds of miles to a little place called Orgreave where I was going to have a battle?

Q. No, Mr. Clement, you did not organise them but you knew they were going to come to demonstrate their loyalty and their solidarity, bringing their sandwiches and their T-shirts and their shorts and you wanted a battle, did not you? - A. Not at all, and if you look at the films you will see the progressive build-up of unprotected Officers facing the miners who were not throwing stones and if they had not thrown stones nothing would have developed.

Q. Mr. Clement, whose words are these? "If there is going to be a pitch battle it has got to be on my terms"
- A. Absolutely.

Q. "... and on my ground." - A. Absolutely.

Q. Whose words are they? - A. They will be mine.

Q. It was you that wanted a battle that day? - A. No. I said if there was going to be one that is how it had got to be.

JUDGE COLES: What were those words exactly?

MISS RUSSELL: If there is going to be a pitch battle it has got to be on my terms and on my ground.

THE WITNESS: Right.

JUDGE COLES: Thank you.

Q. MISS RUSSELL: Your words, Mr. Clement? - A. Absolutely right.

JUDGE COLES: Yes.

MR. GRIFFITHS: Members of the jury, Mr. Clement, my name is Peter Griffiths. I won't use that, I do not think.

JUDGE COLES: Starting with a bang any way.

MISS RUSSELL: I am sorry not to have given Mr. Griffiths the warning about this particular implement.

MR. GRIFFITHS: I think I will give it back to Mr. Mansfield.

JUDGE COLES: Said more than once.

MR. GRIFFITHS: I represent Mr. O'Brien. Will you stand, please? Mr. O'Brien is the second Welsh miner in this case. Although he comes from Durham in fact he is a Geordie.

Cross-examined by MR. GRIFFITHS:

- Q. Mr. Clement, you have been in the witness box for something like a week now. I have been over the weekend reviewing the questions that were put to you and the answers and what I would like to do first of all is just to sweep up on some points, perhaps have been overlooked, points of detail I would like to know before perhaps dealing with the main part of my cross-examination and they are basically unrelated. They are pieces of information that will assist. Did you see Mr. Scargill being taken away in an ambulance?
- A. Yes.
- Q. Can you remember which way the ambulance travelled? Was it up Highfield Lane or Road - A. No, I believe it went
- Q. or was it down? - A. I believe it went down Highfield Lane. I believe it did.
- Q. JUDGE COLES: You mean physically downhill? - A. Over the bridge. I believe that is the way it went. I saw one or two ambulances moving about but I believe it went downhill.
- Q. MR. GRIFFITHS: I want to ask you a few more questions about that ambulance and the location. So the members of the jury can realise why I am asking you this, my client Mr. O'Brien travelled in that ambulance, you see, with Mr. Scargill. Now, about how long would it have taken for that ambulance to drive from just above the bridge if it went down the road to Rotherham General Hospital? Can you give us some idea? - A. Well, I do not know which way the ambulance went but when I say do not know which way it went once it got over the bridge and went down Highfield Lane.
- Q. Just give us an idea. - A. There are two ways of course. If they went back on to the Parkway, then on to the dual carriageway, then to Moorgate I would say 20 minutes driving quite quickly, I would think.
- Q. Right. - A. And without any obstruction.
- Q. In order to assist you on times it can be established - it

may be the Crown will admit this - that Mr. O'Brien was logged into the hospital at 11.53. Assuming he and Mr. Scargill went in together - that would follow; they are in the same ambulance - we are talking about something like 20 minutes before that, so we are getting around about 11.30 then when the ambulance leaves. Is that right?

JUDGE COLES: 11.53 logged in?

MR. GRIFFITHS: Yes:

- Q. Now, approximately how long is it, your estimate, from the time you saw Mr. Scargill, if I can use an inelegant phrase, hit the deck, whichever version we are considering, from that moment until you saw the ambulance drive away?
- A. Oh gosh. This is going to be a guess because of course
- Q. Do your best. I entirely understand you are not clocking yourself but do your best. - A. Before the ambulance came of course I called up the ambulancemen on foot and they were with Mr. Scargill for some minutes before they decided they needed an ambulance and I went and called up the ambulance. I do not know. If I said ten minutes.
- Q. It would be an outside guess? - A. It would be a guess, yes. Twelve months is twelve months.
- Q. Yes. - A. It is very difficult.
- Q. I am not criticising you. I am here to get some facts at this stage. Let's leave that for another point. Let's go on to another point unrelated to the last one. You remember describing on a number of occasions seeing, according to you, groups, hostile groups, of about 30 people, when you were questioned by my learned friend a moment ago about that, and you said you saw one such hostile group on the video. You were obviously on the ground most of the time behind the lines. Agreed? - A. Yes.
- Q. You have mentioned a particular vantage point you took up later, namely, on the parapet of the bridge. - A. A lot later, yes.
- Q. Much later? - A. Yes.
- Q. Did you take up any other elevated vantage point at any stage before you got on top of the bridge? Did you go up on top of a building or a - A. Early on I went on top of the medical centre to have a look at the arrangements the photographers had made to take pictures.
- Q. Approximately when was that, only so we can all have some idea, when you would have had that particular vantage point? - A. Certainly it was before any noticeable trouble had started, so fairly early on.

- Q. So do we take it apart from standing on the bridge during any sort of trouble you had no elevated vantage point? - A. I would think that is right, yes.
- Q. So it follows everything you saw had been either between the lines when they parted (Inaudible) near some trees; apart from that trying to do your best to look over Officers in front of you? - A. Except when I went to the front of the Police lines.
- Q. There was only a very short period of time? - A. No. Went to make two announcements in between that. Went to the front of the Police lines and talking to the Officers.
- Q. When there are about four or five people it is a little difficult to muscle through very often? - A. You do not have to. You say let me through.
- Q. What is your height? - A. Five eleven.
- Q. In the command post - another matter now which has been left somewhat in limbo - in the command post you had a number of Officers who were carrying out certain functions under a Superintendent. Is that right? - A. Yes.
- Q. And there was a radio operator? - A. Two, I believe.
- Q. In the course of your evidence when asked about a certain point you said, "I would be able to tell you that if I could refer to the log." That is my note. What log were you referring to? - A. What was the question because I can answer from two sources?
- Q. I would love to help you. I have got a note of it. - A. Oh.
- Q. Let me see if I can put it in context. I might be able to. Yes, I will be able to help you. Yes. You had just been asked about the boiler suited Officers. - A. Yes.
- Q. You were saying they were members of a P.S.U. - A. Yes.
- Q. They had come from a number of Forces. - A. Yes.
- Q. You said, "I do not know from which Force. I could tell you from the log that was kept at the time." - A. Yes.
- Q. Which log was that? - A. That will be the main Headquarters log and associated with that are the P.S.U. booklets which every P.S.U. Commander completes when he arrives.
- Q. So it is not a log - what I wanted to clear up - kept on site in the command post? - A. No.
- Q. So there was no major incident log kept at the command post? - A. You would have to ask Superintendent Pratt but I very much

- Q. I ask that merely for my own experience of cases such as this. - A. I very much doubt it. The incident log was kept at Headquarters and whatever happened at Orgreave was relayed to Headquarters. We had two open telephone lines of course apart from the radio.
- Q. I am only concerned with whether there was a log on site. No? - A. I do not think so.
- Q. When did you retire from the Police Force? -A. On the 30th of April.
- Q. Of this year? - A. Yes.
- Q. And on the 18th of June did you know then that you were due to retire in April of this year? - A. No, no. I was going to retire in the September.
- Q. Oh yes. - A. That is the September following the June.
- Q. That is what I am trying to establish. - A. Yes.
- Q. May or may not be relevant. On the 18th of June you knew, you then thought or realised, that you were going to retire in two or three months' time? - A. No, no, no. I said I had intended to retire. On the 1st of September we were mid-strike. I had made it known I was not going to retire until the strike was over.
- Q. Whichever way we look at it, on the 18th June you knew you were coming up for retirement whether in September or delayed until the end of the strike? - A. Oh, yes, yes. Any Police Officer with 33 years service knows he is coming to the end of his service.
- Q. Yes. Reviewing my notes two different terms have been used, it seems, for short shield Officers and they have been interchanged and I want to be clear in my own mind because it is important to the case of Mr. O'Brien as to how you define a P.S.U. as opposed to a short shield unit. Have you during the course of your evidence interchanged the term somewhat? - A. No, no.
- Q. You have not? - A. No.
- Q. Let's start with a P.S.U. then. That is the Police Support Unit? - A. Yes.
- Q. There were over 100 or so of those in Orgreave you have told - A. 186, I think.
- Q. Pardon? - A. 186.
- Q. 186. - A. Yes.
- Q. P.S.U.s? - A. H'm.
- Q. That means those number of P.S.U.s, each of those has one

Inspector, two Sergeants -A. and 20 men.

- Q. And 20 men. Do we take it then when we see on that video Officers with no protective helmets each of those would be a member of a P.S.U? - A. Right.
- Q. You see, at times in your evidence - you referred to, for instance, over the bridge and into the village - you said well, Mr. Hale and about five or six P.S.U.s went into the village? - A. Yes, but they would be short shield P.S.U.s.
- Q. So all the Officers are members of one or other, of a Police Support Unit?
- Q. JUDGE COLES: The 186 you have given includes short shield units, does it? - A. Your Honour, yes, and long shield units.
- Q. MR. GRIFFITHS: I think there may have been a misunderstanding. That is why I am dealing with it. Well, from now on, Mr. Clement, may we differentiate the different classes of Police Officers in some way? Clearly as part of those P.S.U.s do we have some P.S.U.s that are specialised units? - A. In that they carry short shields, yes.
- Q. Were there any other category of specialised units amongst the 186 P.S.U.s on that day in June? - A. We have described the completely unprotected P.S.U.s and the long shield P.S.U.s, the short shield P.S.U.s. Right.
- Q. The short shield P.S.U.s, have they been known as riot squads? - A. No, certainly not by me or any other Senior Officer.
- Q. No. You have heard that slang term being used of such Officers, surely? - A. Well, as soon as Officers engage with demonstrators and the Officers are carrying shields and wearing a helmet people will say they are riot Officers.
- Q. You would prefer then, I suppose, for me to refer to them as short shield Officers as opposed to the term riot squad. You would? - A. I would think so, yes, in general terms.
- Q. I will do so. So the short shield Officers, how many squads then of short shield Officers were at Orgreave on the 18th of June? - A. Again I would have to refer to logs and P.S.U. booklets.
- Q. Give me some idea. You deployed them. You must have some idea. - A. 15 at a guess.
- Q. JUDGE COLES: 50? - A. 15.
- Q. 15. - A. 15.
- Q. Units? - A. That is a total of about 345 men.

- Q. MR. GRIFFITHS: Now, as I understand it, the short shield units, squads, the object of the exercise is to keep them together. I think you said at all costs. Is that right? - A. I would hope in the Orgreave situation they would stay together, yes.
- Q. Let's assume you are right about 15 or thereabouts. Those 15 short shield squads, they would have come from different Police areas? - A. Oh, yes.
- Q. Are you able, for instance, to help us as to how many of those were South Yorkshire short shield squads? - A. Yes. Just a moment. Almost certainly six.
- Q. And the others could have come from anywhere in Great Britain? - A. Anywhere.
- Q. When those short shield squads arrive they arrive with their equipment, do they? - A. Yes.
- Q. They are individually each a team, each squad being a team? - A. Yes.
- Q. Would the squad have trained together? - A. Yes. I am assuming the other Forces do the same as we do.
- Q. Is not there a central training or a number of central training establishments in the country where such squads are trained in tactical manoeuvres? - A. No.

JUDGE COLES: I did say we will have a break at quarter-to-twelve so would you choose an appropriate moment?

MR. GRIFFITHS: Yes. I have just a few more questions on this point:

- Q. So each of those short shield squads that you used at Orgreave would have received its training in the individual Police area where it came from? - A. I believe so.
- Q. There must be some standardisation, surely, as to the training of short shield squads? - A. Yes.
- Q. And is some of the training or not so much the training but some of the manoeuvres that those squads may have to carry out embodied in the manual? - A. Yes.
- Q. Am I right? - A. Yes.

MR. GRIFFITHS: That is a convenient moment because I will come back to this question at a later point. I am going to move on to something else.

JUDGE COLES: I wonder if I could mention one thing:

- Q. When you use the expression specialised units does that include horses as well as short shield units? - A. Yes, it does.

Q. Does it include long shield units? - A. They are a specialised unit, yes.

JUDGE COLES: Yes. Quarter-of-an-hour.

(Short Adjournment)

ANTHONY RAYMOND CLEMENT Recalled

Cross-examined by MR. GRIFFITHS:

Q. Mr. Clement and members of the jury, if you could take and have in front of you the aerial photograph. Mr. Clement, do you have the one you have already marked? - A. Yes.

Q. It may be I will ask you to place some more marks on it. That is the exhibit, is it not, the one that has been formally exhibited?

THE CLERK: Yes.

THE WITNESS: Yes, I think it is.

Q. MR. GRIFFITHS: You have been asked many times about your movements or your deployment of your Police Officers in the top side holding area. That is the field we now know. I have got it yellow. You have got it yellow. I do not know whether the members of the jury have got it yellow. You have been asked many questions about that. Does it come to this? Let's forget about times. We have these major movements of Police in and up the top side holding area. You have an initial movement after 8.35 where you go up 80 to 100 yards or so. Am I right? - A. Yes.

Q. You then remain there for some time and then you start the three stage Police movement which takes the Police Force up to the bridge. Is that it? - A. Basically that is right, yes.

Q. The first movement, may I suggest - and correct me if I am wrong - after the first major movement which I think came after 8.35 the line moved from the road, that is the slip road, to a point which I would suggest looking at the aerial photograph as we look at it

JUDGE COLES: By the first move you mean what is called the initial move?

MR. GRIFFITHS: The initial move.

JUDGE COLES: Not the first of the three?

MR. GRIFFITHS: No, the initial move around 8.35. I think that was the time.

JUDGE COLES: Yes.

- Q. MR. GRIFFITHS: May I suggest the Police line moved to a point - do you see on the field side of the road there are four bushes? The members of the jury will see those. Three together and one further up? - A. Yes.
- Q. There is a gap between the second and third bush, is there not, coming up from the slip road? One has two bushes together, then a little gap and a third bush and a much bigger gap before you get to the fourth bush. Do you follow me? - A. Yes.
- Q. Am I right in suggesting that after the initial movement the Police line would have been running between the second and third bushes? - A. In that little gap?
- Q. Yes. Across there, or you tell the Court if you disagree with that. - A. Well, it is difficult to disagree. If that little gap is about 80 yards from the road I would say
- Q. If an aerial photograph was taken at some stage after that initial move and before the final three stage move and if that aerial photograph showed the line to be where I put it you would not argue with that, would you? - A. You mean it is static there?
- Q. Static. - A. Just did not happen to be there when the photograph
- Q. A static line. You would not argue with that, would you? - A. No. I would like to see the photograph of course. ...
- Q. You will see it a little later on. Can we just for the purposes then of these questions assume for a moment I am right that the line is there or thereabouts running between the second and third bushes? We have a movement then that is part of your three stage move up to the bridge. Starts there and ends at or about the bridge? - A. That is the start line we are saying.
- Q. What I would like you to do - can you assume the start line is where I have indicated? - A. Yes.
- Q. I will show you the photograph a little later on. Are you able to help the Court as to approximately the ground gained approximately in those three stage movements? So everyone understands I am not being pedantic, we know the camera foreshortens things, we have seen the video. If you can help us to give us some idea. Give you the opportunity of telling us where those three stage moves took us. If you like you can draw - I am sure His Honour would not argue with the suggestion you can draw the three lines on that plan - or describe them somewhere. - A. It would be sheer guesswork but I will do it.
- Q. You were there, were not you? - A. Yes.

- Q. You have described a three stage movement. - A Right.
- Q. I am sure you can with a little care do your best to tell the members of the jury - A. Yes.
- Q. how far was gained by each of those movements. - A. I will certainly do my best. It is, as I have said, almost guesswork there.
- Q. You do your best. You were there walking the ground. - A. Yes. Assuming the start line is where you say it is in that little gap
- Q. JUDGE COLES: Do you want to mark it or not? Do not if you feel you cannot. - A. I really am guessing about this, Your Honour.
- Q. MR. GRIFFITHS: If you prefer not to mark it, describe it then. We have got the aerial photograph there. We can see how the field funnels, does it not? - A. Yes.
- Q. Then there is a section before we get to the electricity sub-station? - A. Yes.
- Q. Would you like to have the photograph in front of you?
- MR. GRIFFITHS: First photograph of Exhibit No. 9, members of the jury.
- THE WITNESS: Yes.
- MR. GRIFFITHS: Most recent photograph taken. If you have the photographs:
- Q. And can you have them, please?
- Q. JUDGE COLES: This is Exhibit No. 9. - A. No, I have not got that.
- Q. MR. GRIFFITHS: We must get you a set. - A. Mine are No. 5.
- Q. If you would like to turn to photograph No. 1. Also have the aerial photograph handy. You will see in photograph No. 1 there is a bush to the left at the beginning of the first brick wall? - A. Yes.
- Q. That, unless I am way out, I think is the last bush shown in the line of bushes on the aerial photograph? - A. Probably, yes, the last bush shown.
- Q. Yes. See? - A. That is the fourth coming up.
- Q. That is right. The fourth bush coming up in the aerial photograph is shown on the left-hand side of photograph No. 1? - A. It probably is.

- Q. Probably is. We have got a short wall there, have we not? Then there is another short wall if one looks very carefully on the left-hand side of photograph No. 1 which starts in a curve, bend in the road, left sign. See that? - A. Yes.
- Q. We see that second short wall a little closer in photograph No. 2. We are coming up to the electricity station, are not we? - A. Yes, we are.
- Q. Do those photographs and the aerial photograph help you to indicate approximately what ground was gained in these three movements? We have really only two, have not we, because the last movement takes you right up to the bridge? - A. To the bridge.
- Q. I am only asking you to give some idea as to the two Police lines formed before you get to the bridge and after you left the initial line. Cannot be all that difficult, can it? - A. If you can remember things that happened twelve months ago.
- Q. You were there. - A. Of course.
- Q. This is a substantial movement of course. Do your best. - A. A line moved up. I moved behind them.
- Q. In relation to the walls. - A. The long wall here. I am looking at photograph - well, look at photograph No. 1.
- Q. Right. - A. The long wall there. Certainly a line of Police Officers stopped after the start of that wall because I came up behind that line and I climbed over that wall from the field into the road, so there was a line of Police Officers above the start of that wall. Certainly that happened.
- Q. So that may have been - A. the first.
- Q. The first. - A. I think it probably was.
- Q. Probably was. - A. In fact you see me walking up behind that line on the video and I am veering towards the wall.
- Q. We have got an idea after the first part of the three stage manoeuvre we have got the Police line probably just past that bush there? - A. Probably, yes.

MR. GRIFFITHS: Yes.

- Q. JUDGE COLES: Do you think that is probably the first move? - A. I would think so, yes. The first move after the establishing of the line.
- Q. Let's call that absolutely first move the initial move. - A. Yes.
- Q. This one the first of the three moves. - A. Right.

- Q. MR. GRIFFITHS: Now the second. How far did the line get before the final drive to the bridge? - A. I would think to where the top holding field, the one marked yellow as we are looking at it here, begins to bend down towards the bottom of the photograph. Somewhere about there. Perhaps a little
- Q. When you say begins to bend in the aerial photograph it bends for quite a distance.
- Q. JUDGE COLES: I am not quite sure what you mean by bend. - A. I have just drawn a line there. I am accepting that yellow marking begins to bend round towards Highfield Lane again.
- Q. Bush 4. If you look opposite, the other side of the field, there appear to be two other bushes either side of the gap in the next field.

MR. GRIFFITHS: You are looking at the aerial photograph?

JUDGE COLES: Yes. The point Mr. Clement has just marked as being the second move is between those two bushes.

THE WITNESS: I am accepting the aerial photograph will be right. That is the initial move, the first move, the holding move. That is the second. This now is the third.

- Q. JUDGE COLES: Having said you would not mark the plan that is exactly what you have done in the end. - A. I am sorry.
- Q. Not at all. If you would be so good as to take Exhibit No. 10 and mark those in again, please. That might assist Counsel and all of us.

MR. WALSH: Shall I hand back the marker?

JUDGE COLES: If you would be so kind.

MR. WALSH: Yes.

JUDGE COLES: Mr. Walsh has Exhibit 11.

MR. WALSH: Yes.

(Marking done by witness)

- Q. MR. GRIFFITHS: If you have done that perhaps you would like to show it round.

MR. WALSH: I was just wondering before he finishes his marking if it would be useful to draw in the holding line, the one at the end of the initial move forward, so

the jury have got all those together.

JUDGE COLES: Yes.

MR. GRIFFITHS: Yes.

MR. WALSH: I hope that is not confused.

JUDGE COLES: The holding line.

MR. GRIFFITHS: Between the second and third trees, I think.

THE WITNESS: Oh, I have put that in, yes.

Q. MR. GRIFFITHS: You have already done that? - A. Yes, I have.

Q. So there should be three lines across there. The point at which the Police moved initially? - A. Yes.

Q. The first stage of the three stage movement? - A. Yes.

Q. And the second stage? - A. Yes.

Q. JUDGE COLES: Can I see that? - A. Yes. In actual fact I have jumped ahead a little and put the third move on.

Q. Third move was to the bridge? - A. The third move to the bridge stopped right at the point of the field and from there the men went on to the bridge.

JUDGE COLES: Yes.

MR. GRIFFITHS: I wonder if the members of the jury could be shown it very quickly.

JUDGE COLES: You had better have a look first, I think.

(Shown to Jury)

MR. GRIFFITHS: You may wish to mark your own plans, members of the jury.

Q. JUDGE COLES: Just to make it absolutely clear, which side of the bridge do you say the line was, the coking side or the other side when you got to the bridge?

MR. GRIFFITHS: Your Honour, I am going to take him on to that point if I may.

(Shown to Counsel)

Q. MR. GRIFFITHS: Mr. Clement, would you forgive me for being a little mystified? You have marked on this

- plan three Police lines after the initial move. - A. Yes.
- Q. And you are still not up to the bridge. - A. No.
- Q. So do we take it that there are four, according to you now, parts to this move to the bridge? - A. No.
- Q. Well, perhaps you would like to have the plan back. - A. Yes.
- Q. And no doubt you can explain it. - A. Right.
- Q. The members of the jury will have those marks on there. Can you use the terminology suggested by His Honour with the initial move? You have marked that between the second and third so we will forget about that one. - A. Right.
- Q. That is the start. - A. The final one I have marked there is to indicate the top of the holding area where you will see some trees.
- Q. Yes. - A. Right. Then the area narrows down into a funnel, so at that point the vast majority of the Police Officers who were continuing up here were grouped in that area. The vast majority of the demonstrators were going back towards the bridge, so although there was a hold there that was merely a necessity because there was a coming together of a large number of Police Officers and we funnelled on to the road and continued up from there.
- Q. So it really is not a holding Police line, is it? It is a continuing movement? - A. It was meant to be continuous but of course the sheer geography of the place did not allow it to be continuous.
- Q. Right. We can see that. Also while you have got the aerial photograph in front of you, let's see if we can establish the furthest point that you ever went on that day up Highfield Road towards the village. - A. Yes.
- Q. Now, you have already indicated many times that you walked no more than about 25 yards up from the bridge? - A. Yes.
- Q. If you first of all look at this plan here. This may help you first of all. Do you have this plan here? - A. Yes.
- Q. The extended plan, the scale plan, Exhibit No. 3. Do you have it there? - A. Yes, I have got it.
- Q. To help you, Mr. Clement, and also members of the jury, there are ELS points mentioned here. - A. Yes.
- Q. Electric light standards presumably? - A. Yes.
- Q. So we are talking about lamp posts. Each lamp post is marked. I have scaled from the bottom the sort of distance you have already spoken of - A. Yes.

- Q. where I make it and I would like you to confirm or alter it in any way you like. If you look at that plan and imagine travelling up towards the village you have got a lamp post on the far end of the bridge, immediately at the far end of the bridge, you can see just on the photograph. - A. Yes.
- Q. Then you have another one. Then you have got another one. - A. That is right.
- Q. Would your furthest point have been if your estimating is right about mid-way between the two up the bridge? - A. That is not far off. That is not far off. In answer to somebody else I had previously marked a line on this large one and that would about tie up with what you are saying.
- Q. May I see? - A. Yes. (Witness spoke to Usher)
- Q. Because if you put another mark there - A. That is a rough guess at a line.
- Q. I overheard you there. Perhaps I can mention to the members of the jury we see a white motor-car that seems to be proceeding towards the bridge? - A. Yes.
- Q. Your furthest point is a little further up than that. Is that right? - A. Towards Handsworth, yes.
- Q. There seems to be certainly in my copy of the aerial photograph one - I see you have marked it quarter-of-an-inch up from that white car? - A. Somewhere round there.
- Q. About quarter-of or half-an-inch above that white car? - A. Yes.

JUDGE COLES: I can see two white cars but the other one is going in the other direction.

MR. GRIFFITHS: One nearer the bridge:

- Q. Perhaps you would show it to His Honour so that we know when looking at that plan in future what that mark is.
- Q. JUDGE COLES: Perhaps you can help me while you are looking at Exhibit No. 4, Mr. Clement. Where you have that white car nearer the bridge, then you have got your little line - A. Yes.
- Q. which indicates the extreme point to which you went. - A. Roughly, yes.
- Q. A little further along, white line in the middle of the road appears to be broken for a while. - A. Yes.
- Q. Road looks a little blacker. - A. Yes.
- Q. I think I might know what that might be. Can you explain

what that darkening of the road is? - A. Yes. I think that is where the first of the barricades was, the burning barricade.

- Q. The one we see still smouldering in the first photograph of Exhibit No. 6? - A. Yes.
- Q. MR. GRIFFITHS: So your furthest point would have been not quite up to the black area on the road? - A. Just in that vicinity, yes.
- Q. Right. Mr. Clement, Mr. O'Brien, my client - A. Yes.
- Q. as the Court will hear, was arrested - and I use it in a general way to describe it - the village area and, as I have already pointed out to you, he ended up in the ambulance with Mr. Scargill and was taken away. Now, in the course of this case rather disturbing allegations will have to be put by me to appropriate people and I want you to help me as much as you can as to the instructions and, indeed, what you can say about the movement in particular of your short shield squads. That is the purpose I am going into. You have not, I do not think, told the Court what instructions you gave when you embarked on the last and third movement to the bridge. - A. Yes.
- Q. And I would like you to tell the members of the jury what instructions did you give and to whom? - Yes. The instructions were virtually the same as on all the moves, that is, to go forward and disperse the demonstrators and to arrest those committing criminal offences and to go over the bridge.
- Q. That is what I gather. - A. Yes.
- Q. You instructed them to go over the bridge? - A. Yes. We were now clearing the Orgreave area.
- Q. Who did you give those instructions to? - A. To the Sector Commanders.
- Q. Who were? - A. Mr. Povey and Mr. Hale who would have gone over the bridge and accompanied the men up to the village.
- Q. At some stage to my learned friends you have indicated on more than one occasion that the Police got up to the bridge and remained there for further instructions from you. I think as recently as this morning you told my learned friend. - A. Yes.
- Q. Well, if they did hold the bridge why do you think they did so if you gave your Sector Commanders more wide-ranging instructions or are you not being particularly accurate to the jury? I am not criticising you for it. Do you follow what I am suggesting? I am asking you - A. Are you suggesting
- Q. Shall I repeat it again? - A. If you wish.

- Q. You have told the members of the jury the instructions you gave the Sector Commanders. - A. Yes.
- Q. To take their men over the bridge and into the village. Yet on other occasions in the course of your evidence you have mentioned that your Officers did not do that, according to you. They remained at the bridge until they were further instructed by you? - A. I am sorry. We have got at cross-purposes.
- Q. My fault I am sure. You perhaps would now like to explain.
- A. When the move started from the bottom of the field, the top side of the field actually
- Q. The third stage?- A. Right. We are then funnelling together, Officers on the road, Officers on the field, funnelling together, together up to the bridge. When they got to the bridge there was a stop because that of course was an important line. There was the railway line.
- Q. I am going to take you very carefully through that point.
- A. Yes.
- Q. I do not want to be under any misunderstanding about it. Are you still saying you gave, so to speak, carte blanche to your two Sector Commanders to take their men not only to the bridge but over the bridge and into the village?
- A. No. They were later told over the bridge and into the village. Mr. Povey and Mr. Hale. Two Senior Officers.
- Q. Later? - A. When we got to the bridge.
- Q. Let's see if we can be a little more careful. What I want to get from you is very simple. What instructions you gave your Sector Commanders before launching this last, call it the third, phase of your drive to the bridge. One moment you seem to be saying I told them they could go all the way to the village. Another moment you are saying here - not criticising; just want to be clear - go up to the bridge and stop. What is it? - A. There was no instruction to go over the bridge and into the village at that initial stage. That came later when I was on the bridge.
- Q. You could not have just told them, "Well, get after it, George," or whatever their first name is? What instruction did you give them? How far did you tell them to go? - A. I said go up to the village.
- Q. To the village?

JUDGE COLES: Let's not get at cross-purposes again.

MR. GRIFFITHS: No. I do not want to get at cross-purposes.

- Q. JUDGE COLES: What you are being asked - I do not know

whether you might like to try going the other way round - what you are really being asked, as you were in the field and obvious everyone was going to join up and go up towards the bridge, what instructions at that stage did you give?
- A. No. That was to go up to the bridge where the line was to be held.

- Q. What stage had been reached when you gave that instruction go to the bridge? - A. That is after the second move, after the holding line. That is this move up from here where it funnels in to go to the bridge.
- Q. So you have your initial move. Then a tripartite move, step one and step two - A. And then this one.
- Q. At step two you say you gave instructions to go to the bridge? - A. No. At this stage here. One, two, three.
- Q. At the funnel? - A. At the funnel, yes, where it was impossible to hold the line as such. It merely became a mass of people.
- Q. So your instructions were to go to the bridge and no further? - A. Right.
- Q. MR. GRIFFITHS: That is to your two Sector Commanders?
- A. Yes.
- Q. And who would take that instruction to the head of the mounted section? - A. The Sector Commander.
- Q. Of the mounted section? - A. No, no.
- Q. Which one then? Whose responsibility was it? - A. Mr. Hale or Mr. Povey. Probably Mr. Hale.
- Q. Right. So there is no misunderstanding about it. Throughout your moves to the bridge your Sector Commanders were instructed to go to the bridge and no further? - A. Right.
- Q. That included your mounted Officers? - A. Yes.
- Q. You followed up in this last third movement, you followed up somewhat to the rear, did you not? - A. Yes.
- Q. I think we can see you. No doubt you saw yourself. Members of the jury I am sure will have the opportunity to have a look at this video again. No doubt if they want to see it they will ask. We see you walking behind your Officers on this third last drive to the end? - A. Are you sure about that? I may be wrong. I would like to see the video myself. I thought that time where you saw me walking behind was as we were coming up to the second movement after the line where I said I got to the middle of the wall or the centre part of the wall and climbed over it from the field into the road.

- Q. You are not suggesting you were ahead of your other Officers, are you? - A. No, no.
- Q. You are somewhere behind. We did not have the advantage of these photographs - would you like to take Exhibit No. 9, please; these are the photographs - when you were being asked questions as to what happened at the bridge. You have been asked by all learned Counsel before now but we did not have the advantage of having these photographs through most of those questions, you see. Now, I am going to try not to ask you about times, only what you saw. Presumably you are able to help me about that, are not you? - A. Yes.
- Q. So we come to a point - presumably photograph 2. Did you get on to the road at some stage? This is during the third drive now up to the bridge when your Officers are supposed to go to the bridge and no further. You get on to the road, I suppose? - A. I got on to the road at some point there, yes.
- Q. Some point in photograph No. 2. Ahead of you you would have seen a very large number of Police Officers going up the road, would you? - A. Yes.
- Q. Photograph No. 3. Approaching the bridge. Can we take it you remained on the road and carried on walking towards the bridge? - A. I almost certainly did though at one stage I did go on to the electricity sub-station land. For this purpose I think I was on the road.
- Q. So the picture we would have of what you saw - presumably when you are in the area shown in No. 3 you are beginning to push yourself through other Officers who now either have come to rest or are slowing up? - A. Yes.
- Q. You have spoken of a plug of Officers. - A. Yes.
- Q. Go to photograph No. 4. Do we take it you are approaching the bridge and the plug of Officers you referred to are presumably massed by now because it is a small area in that position in photograph No. 4? - A. Yes.
- Q. Do we take it that your Officers had not disobeyed your order and I am referring to your order that they should not - I am not meaning by a few yards or anything. Are you saying they did not disobey you? In other words, they abided by your order, got to the bridge or thereabouts and remained? - A. Yes. I would think there may have been individual Officers who went over the bridge if they had seen people throwing stones at them to make an arrest or something of that sort. The main body stopped at the bridge.
- Q. At the bridge? - A. As far as I am aware.
- Q. In particular your mounted Officers? - A. I remember seeing

the mounted Officers standing at the entrance to the bridge, yes.

- Q. What you are saying is the mounted Officers obeyed your order passed to them they should not go further than the bridge? - A. Well, if they had gone further than the bridge they may well have been instructed to do so by one of the Sector Commanders.
- Q. Who would not be abiding by your order? - A. Who would be making a decision based on what he saw.
- Q. You get to the bridge and is it at this time presumably you push your way through other Officers and get to a point where you can actually see what is happening? Am I right? Is this the point you get up on the parapet? - A. Right.
- Q. Am I right? - A. This is right.
- Q. You get up in photograph No. 6 on the right-hand side there? - A. Yes.
- Q. Now, this is your first view of the other side of the bridge, is not it? - A. In effect, yes.
- Q. Yes. And I am not going into it at this stage at all, so we can stick to facts. It is at this stage you see and estimate there are some 8,000 pickets or demonstrators in the area? - A. In that general area, yes.
- Q. And what sort of gap was there between the Police line at the bridge and the beginning of this mass of demonstrators? I am asking you to picture it. This must have been a very significant picture in your mind. You have referred to 8,000 demonstrators. You tell the members of the jury then where did they start? - A. 50 yards, 40 yards, 50 yards, perhaps more.
- Q. Let's have a look at the photograph. Do the photographs help you? For instance, further up. Of course the burned patch may not have been there at this point of time. - A. No.
- Q. Look at the lamp posts. Can those assist? - A. I do not know that they can. If we go to the second of the lamp posts.
- Q. Shown in photograph No? - A. Shown in photograph No. 7. Probably those on the road were about there. Those on the field to the right may have been nearer and further across. Some more on the left in the scrap yard and on the railway embankment, that sort of thing, but on the road I would think somewhere round about that second lamp post.
- Q. JUDGE COLES: The second lamp post shown in photograph? - A. Photograph 7.
- Q. Photograph 7. Careful. I was looking at photograph 6.

- Q. MR. GRIFFITHS: Photograph No. 7. - A. And that is foreshortened. I would think that is about 50 yards.
- Q. That is probably right. Looking at the plan about 50 yards. What do you say was happening at that point? You walked through your Officers. Got up on the parapet. You have estimated about 8,000 demonstrators. The nearest line, so to speak, is at the point where you have described. What was happening? - A. Well, it was a little bit confused of course. On the road there was still a lot of shouting. Many of the people in the field to the right seemed to be making their way away. They were certainly really of no concern to me. It was the people on the road and also the people who had gone into the scrap yard to the left and there was stoning of course.
- Q. You say of course. You say there was stoning at this stage? - A. Yes.
- Q. I see. - A. From the scrap yard in particular.
- Q. And what was the state of the road, that part that you could see? - A. It had some bricks on it but basically it was clear of obstruction.
- Q. What? The odd stone or brick but nothing more than that? - A. There were stones and bricks on the road but nothing like what it was later.
- Q. And the lamp post was still intact? - A. Whether they all were I do not know.
- Q. But you are not suggesting - not positively saying they were down, are you? - A. No, I am not positively saying that.
- Q. Are you prepared to say if they were down? - A. If one was down it was not across the road but I do not know.
- Q. It comes to this. You cannot say there was any damage to the lamp posts at this stage, can you? - A. Basically that is it.
- Q. Now, can we relate this moment in time to your seeing Mr. Scargill's incident? - A. Do you mean the incident that I
- Q. Yes. - A. Yes.
- Q. Do I understand your evidence to amount to this, that as far as you can tell your Police Officers abided by your instruction not to go beyond the bridge because you certainly did not see them go beyond the bridge until you gave the instruction to move up? Am I right? - A. Basically, yes.
- Q. And did you give the instruction to move up and; indeed,

move up with them 20 yards behind when you saw the Scargill incident? - A. I was 20 yards behind the last of the short shield P.S.U.s moving up.

- Q. Are we talking about this? The Scargill incident occurred and as far as you can say the first movement up into the village by your horses and short shield Officers? - A. Do not quite follow that.
- Q. I thought we could cut down on this process but I do not think we can now. - A. No.
- Q. You have got to the parapet. You have seen what was happening. What happened then? - A. After a time the horses and the short shield men, and I think there were about six short shield P.S.U.s that went up, went up this road.
- Q. Is that the movement that you followed about 20 yards behind and you saw the Scargill incident? - A. Right.
- Q. So I am right, am I, Mr. Clement? - A. That is right, what we have just said now.
- Q. So there is no misunderstanding about it, your evidence is this. You get to the parapet, look ahead, see the 8,000 people and a little while later you instructed your Sector Commanders and the horse Commander to move up into the village? - A. Yes.
- Q. You follow them 20 yards or so behind and it is as you are walking up to the point we have already ascertained - A. Yes.
- Q. you see the Scargill incident? - A. Yes. Could I just make that one point clear? I am 20 yards behind the last of the short shield P.S.U.s but by this time the horsemen may well have been 70 or 80 yards in front of them.
- Q. I see.
- Q. JUDGE COLES: Would you like a glass of water? You are managing.
- Q. MR. GRIFFITHS: Now, how did the horses and short shield Officers proceed up Highfield Road into this 8,000 mass of people? - A. No, they did not do that.
- Q. Well, how did they do it? - A. They did not go into a mass of 8,000 people. Many, many people were on the field going away. Others were in the scrap yard and the factories there.
- Q. Yes. - A. There was a proportion on the road
- Q. Yes. - A. who were moved back by the mounted Officers and the short shield Officers.

Q. Did the short shield Officers as far as you could tell break into anything other than a walk? - A. I do not know because about five or ten yards past the brow of the hill they began to disappear of course.

Q. Did you see - A. No.

Q. the short shield Officers running at all? - A. No, I did not.

Q. JUDGE COLES: You say you did not see the horses go beyond the wall. That was the first point. - A. Right.

Q. You did not see the short shield Officers break into a run. - A. Right.

Q. But you make the point you could not see over the brow of the hill. - A. From the point in which I was standing someone standing on the brow of the hill is of course very visible but as he begins to move back towards Handsworth he gradually disappears because the road presumably drops away a little over the brow of the hill.

JUDGE COLES: Yes.

MR. GRIFFITHS: May I just see the exhibit that has already been produced, the photograph showing Mr. Scargill on the bank? I do not have a copy.

JUDGE COLES: They seem to be in short supply.

MR. GRIFFITHS: Does the Clerk have one?

MISS RUSSELL: I think at the moment trying to increase the supply.

JUDGE COLES: Fine. No, I do not think the Court has got any more. It was taken away, probably to copy.

MR. GRIFFITHS: I thought there was one shown this morning.

JUDGE COLES: They seem to be like boomerangs.

MR. WALSH: I have a copy someone gave me last week. I do not think there is another one around.

JUDGE COLES: Would you like to arm yourself with a copy at 2.15?

MR. GRIFFITHS: Certainly.

JUDGE COLES: Very well. We will resume then, members of the jury.

(Luncheon Adjournment)

ANTHONY RAYMOND CLEMENT Recalled

Cross-examined by MR. GRIFFITHS:

- Q. Mr. Clement, just before lunch I wished to have sight of the photograph that was produced earlier. Before I show you that photograph can you clarify something for me, please? When you say you saw Mr. Scargill slip off the bank as you describe him to do where was he in relation to yourself? We have got a picture of you walking up the road to this point about 25 yards, then you go no further. We know the banking event on your version now is to the left. When you saw Mr. Scargill fall had you passed the point so there was something happening behind you and you turned to look back or were you looking directly across or were you looking slightly ahead of you? - A. My recollection is it was across like that. I saw him standing there.
- Q. You must almost - A. Within a foot or two, I would think, yes.
- Q. You were, as you say, following behind? - A. Yes.
- Q. The main body of Officers - A. I was following behind the body of Officers.
- Q. The body about 20 - A. But the main body was further on.
- Q. So it follows therefore if the Police Officers or one or more of them came into contact with Mr. Scargill it would have happened a good way ahead of you. That is the leading Officers. - A. If it were the very first Officer it would have happened some minutes before I got to that point. If it was half-way down it would be less time and so on.
- Q. Now, the photograph you were shown shows Mr. Scargill being, I think, helped up, does it not? - A. That is the interpretation I would put on it.

MR. GRIFFITHS: We have found them now, Your Honour.
(Distributed) We are all looking at that photograph:

- Q. You have got one there now, have you? - A. Yes.
- Q. Putting the sequence together it seems by the time that photograph was taken with Mr. Scargill being helped up we have had a body of short shield Officers sweep up before that moment in time that is captured in that photograph. Agreed? - A. Well, you are asking me something now which I cannot answer because I do not know when that happened.
- Q. Let's assume for a moment, Mr. Clement, that that is Mr. Scargill. Agreed? - A. Yes, it is.

- Q. Let's assume he is being helped up. Agreed? - A. Agree.
- Q. If he is being helped up - A. Yes.
- Q. and we see Police Officers there - A. Yes.
- Q. are you prepared to accept the main body had swept up before that moment in time? - A. No, I am sorry, I am not.
- Q. Where are they? - A. I am sorry, I cannot tell you.
- Q. How many Officers did you set in train up that road? You are not confused? - A. I know what you are talking about, yes.
- Q. We are talking about, according to your version - A. Yes.
- Q. the first time you set Police Officers up that road into the village. - A. Yes.
- Q. How many short shield units did you order up the road? - A. Well, I would not have ordered any in particular. I would have told the Sector Commanders to clear the road up there.
- Q. Do not lets split hairs, with great respect. How many short shield squads did you through an intermediary deploy to go up that road at that time? - A. I did not ask for specific numbers. I said clear the road. If they sent up six P.S.U.s that is a matter for them.
- Q. You were there. - A. Yes.
- Q. You have given the jury what you say is a clear sight of the Scargill incident occurring. If you saw that you surely can tell the members of the jury how many short shield units were set up that road on your instructions? - A. You are talking about this incident because this is a separate incident from what I am talking about. This is the incident
- Q. Are you trying to wriggle out of that, with great respect?
- JUDGE COLES: Let him go
- THE WITNESS: This is the photograph which appeared, I believe, in the Daily Mirror of July last year ten months ago. I knew all about this photograph.
- Q. MR. GRIFFITHS: Just put the photograph down. Analyse what we are saying. I do not want to be under any misunderstanding. - A. Neither do I.
- Q. I thought before lunch we had proceeded carefully, quietly - A. Right.

Q. MR. GRIFFITHS: How many short shield squads did you see approximately move on ahead of you if you have got eyes, with great respect? Give us an idea. - A. I thought I told you that two minutes ago. Approximately six. I said six.

MR. WALSH: Before the luncheon adjournment he said approximately six as well.

JUDGE COLES: That is right. I did not want to interrupt to say so in case

Q. MR. GRIFFITHS: As long as we are clear. Times there may have been misunderstanding between us. I do not want that, in fairness to you. Six approximately. Did you see them all - I do not want to use an emotive term, but start together en bloc? - A. No, they did not.

Q. Or were they shot out rapidly one after another? How was it done? - A. No. The horses went first. The short shield P.S.U.s followed afterwards. It may be in the width of that road there would be two abreast at the front or something of that sort and the others would follow behind.

Q. Two short shield units you mean? - A. I do not mean 46 men stretched out. There would be two abreast.

Q. Two teams, so to speak, leading possibly the other four? - A. Four.

Q. Coming up behind them.

Q. JUDGE COLES: When you say two abreast you literally mean two Officers followed by two Officers? - A. No. I mean a P.S.U. there and a P.S.U. there. Two P.S.U.s abreast.

Q. One behind the other? - A. No. Side by side.

Q. If they are coming towards you - A. Yes.

Q. up the road how many men would be stretched across the road? - A. Maybe ten.

Q. Maybe ten. - A. And there would be about four rows of ten roughly together with the Inspectors and the Sergeants.

Q. MR. GRIFFITHS: According to your evidence is this the first time that the horses are in fact going up Highfield Road to the brow? That is on that day. - A. According to my evidence it is.

Q. And I think the last answer you gave me before lunch was that you did not see any short shield Officer break into a run? - A. I cannot recollect that but if some were running and you have evidence to that effect I would

accept it because I feel sure one or two of them may have run. There would be others who would be so exhausted having come up from the bottom with all their equipment would not feel like doing a lot of running.

- Q. I thought there was a pause at the bridge for about ten minutes? - A. Yes.
- Q. Now, what happened to the crowd, the pickets, these 8,000, according to you, and I am just taking your estimate, what did you see them doing when the Police came towards them, that is the squad of mounted Officers and short shield Officers with truncheons in their hands? - A. I thought I had already told you before.
- Q. No. - A. As the Police Officers went up the road of course the demonstrators retreated.
- Q. Just pause there. They retreated? - A. Yes.
- Q. You would accept this, would not you, Mr. Clement, that they turned and ran? - A. Yes, as they usually did.
- Q. Right. So we have - what - part of a multitude, if you are right, of 8,000 people in close proximity to houses and commercial premises being turned on themselves and running back into themselves. Is that right? - A. Basically that is right although there were a lot on the field and a lot in the commercial premises.
- Q. But you have already described the crush. Now, to compound matters, we are talking about a time, are not we, when we are within half-an-hour of the second convoy coming along? - A. About that, yes.
- Q. About that. - A. Yes.
- Q. Give or take. I think earlier you had indicated inevitably there would be a very small proportion of the original demonstrators who were in the top side field, very small proportion may have gone, for instance, to take refreshment in places like Asda? - A. There would have been some, I feel sure.
- Q. Before returning possibly for the second convoy? - A. Possibly.
- Q. So this turning of a good number of the 8,000 people, according to you, on themselves, running into themselves, may well have been compounded, do you agree, by the numbers in that small village area being swollen by people coming back from Asda? - A. That is quite a theory. I do not know whether
- Q. Would you believe that is based on reasonable common sense? - A. There would have been some coming back from Asda. As

the horsemen got to the brow of the hill they could be clearly seen by all the people all the way from Asda. Prudent people would not have continued to come forward.

- Q. You saw the effect on that video, did you not, and I am sure the members of the jury did, when you sent your horses and the short shield units in at an earlier stage? - A. Yes.
- Q. Would you agree with me that we all saw a stampede of pickets running away? - A. You did.
- Q. What you did therefore was to cause such a stampede in the village, did you not? - A. No. What caused the stampede in the village was the fact that thousands of people had come down to Orgreave to do what they were doing.
- Q. I am sorry. What you do agree is that there was a stampede? - A. There was a movement back.
- Q. There was a stampede? - A. No, I am sorry, you are not putting words into my mouth. As I saw it there was no stampede but bear in mind I could only see just over the brow of the hill.
- Q. You see, the issue has been raised by my colleagues as to the wisdom of certain of your actions. Now, you saw the stampede on the video. Do you agree with that? - A. On the field?
- Q. Yes. - A. There were people running away from the horses.
- Q. Fast? - A. Many of them.
- Q. Fast and furiously? - A. Yes, because they were dressed for speed.
- Q. And furiously? - A. Yes.
- Q. Being a sensible person you no doubt would agree if they have reacted in that way in the field they might reasonably be expected to react in the vicinity of the houses? - A. Yes.
- Q. Did you give any thought to the pandemonium you might cause before you gave the order to send these people to drive 8,000 people into that village area? - A. No.
- Q. Did you give it any thought? - A. You are wrong on two points. Firstly, I had no intention of driving 8,000 people into the village because there were not 8,000 people on the road to drive into the village. Secondly, the horses went up the hill towards them. There was no need for any pandemonium. They could have turned round and gone.
- Q. Into other pickets? - A. The other pickets could see the horsemen coming.

Q. Mr. Clement, the way you have described that scene, as I understand it, we are talking about the whole area. This is the import of your evidence, as I understand it? - A. Yes.

Q. You stood on the parapet. May I just hold my plan to the jury? Follow what I am suggesting. You stood on the parapet there. You are able to see somewhere round this large building here. I think that is what you are saying. It was a sea of heads, as I understand it, of people packed? - A. Yes.

Q. Am I right? - A. Right.

JUDGE COLES: To which building are you referring?

MR. GRIFFITHS: I understood his field of vision would have gone to the large

JUDGE COLES: Yes.

Q. MR. GRIFFITHS: Am I wrong? - A. No, that is about right.

JUDGE COLES: Counties Hydraulics.

MR. GRIFFITHS: Yes:

Q. Did you give any thought to the possibility of causing utter chaos by doing that? - A. Yes.

Q. When did you think about it? - A. It was in my mind right the way from the start of this exercise that if people did not turn and run we were in trouble.

Q. I am talking about sending people into the village. - A. Yes.

Q. Did you think about it? - A. Yes.

Q. On the bridge? - A. Thought about it on other days.

Q. So having thought about it - A. Yes.

Q. even when you tell the members of the jury when you were at that bridge people were beginning to move away
- A. Some people were in the field to the right. The violent people were still stoning.

Q. you still decide to do that? - A. If you have people continuing to stone the Police - realise some of them are moving away, the non-violent ones, which was prudent - so the others had to be moved. We could not contain that lot.

Q. Mr. Clement, may I put this to you with the very greatest respect? The jury may have to make a valid decision on whether you are capable of exaggeration. When you have been describing the level of stoning do you think you

exaggerated just a little? - A. No.

Q. Do you think you exaggerated a little when you told the jury on oath last week that this incident was arguably the worst incident of public violence this century? - A. I think it was.

Q. I see. Worse than the Bristol riots? - A. Oh, yes.

Q. The Toxteth? - A. Yes.

Q. The Mosley incidents in the thirties. Let's call a spade a spade. You have exaggerated, have not you? - A. No, because the Toxteth incidents took place over a period of time and involved far fewer people and far fewer Police Officers.

Q. Now let's continue.

Q. JUDGE COLES: Before you do I would like some help, before you move on, and that is about this figure of 8,000. You said you had no intention of driving 8,000 people into the village. There was not 8,000 to drive in? - A. Right.

Q. Now, you have described several batches of people. You have described batches of people in the field. You have described those who crossed the bridge and went up the road. You divide those into those that stopped and caused trouble and those that went on and you have described more people as coming towards the bridge from the Asda direction. - A. Well, Your Honour, I accepted there might be some coming from Asda.

Q. There you are. What I would like to know is how many. I know this is only an informed guess. It cannot be anything better. But how many were the people who were actually being driven back, to adopt Counsel's expression? - A. Those that I could see on this side of the brow of the hill, there would be five or six hundred, I would think.

JUDGE COLES: Yes.

Q. MR. GRIFFITHS: So we have got that sort of proportion now, have we? Five or six hundred were actually turned and for whatever reason they start running back? - A. No, I did not say that.

Q. Oh.- A. I said there were five or six hundred that I could see on this side of the brow of the hill who turned and went back. There were some on the brow of the hill. I feel sure there were some over the brow of the hill.

MR. GRIFFITHS: He has qualified the no.

JUDGE COLES: He did say on this side of the brow of the hill:

Q. You stood on the wall at one stage. I think it was at

that point you were talking about there being 8,000? - A. That is right.

- Q. What I am really asking you about that time, where do you have the bulk of them? - A. The majority of them at that time were scattered about in these factories and the field here and also on the road up to and I could see past the start of the houses.
- Q. So the bulk of the 8,000 you talk about were in that circle you have drawn on Exhibit No. 10? - A. That is the circle I have drawn. In actual fact I have probably gone too far on that back part of the circle.

JUDGE COLES: I am very sorry to interrupt. I wanted to try and cover that while it was in my mind.

- Q. MR. GRIFFITHS: Mr. Clement, I put to you with great respect the possibility the jury may find, I hope the probability, that you are exaggerating. Now let's deal with numbers. Asked a question by His Honour about that 8,000. Did I understand you correctly - I think it was to my learned friend Mr. Mansfield - that in the top side field, this is before we even get to the bridge but in the top side field - A. Yes.
- Q. looking at the position overall there were not less than four to five thousand people there at that time in the morning? - A. Yes.
- Q. Am I right about that? - A. Yes.
- Q. I think you put it facing the Police line, and I am using your carefully chosen word, in a riotous situation? - A. Yes.
- Q. Do you think you could have exaggerated that? - A. No, I did not say they were all violent. There were many on the field not violent but it was a riotous situation.
- Q. We have not under four to five thousand pickets or demonstrators in top side, not all violent, but certainly still a riotous situation? - A. Right.
- Q. Like to have a look at this photograph, Mr. Clement? You may find it somewhat interesting. It is a photograph taken from some sort of either - I am not sure whether it is a helicopter or 'plane.

MR. GRIFFITHS: For Your Honour's assistance my present information is that the flight times of this either 'plane or helicopter, 5-past-10 to 10.35. Took off from Worksop.

JUDGE COLES: 5-past-10.

MR. GRIFFITHS: To 10.35:

- Q. Before the jury see it, let's just put it in perspective

if we can. I cannot help you pin it down more than that. It presumably takes a bit of time to fly up, fly over and the like. I do not know how many fly overs they did. My note, and looking at it over the weekend, you told, I think, Mr. Mansfield your drive, your three stage drive up top side to clear top side, started at around about 10.20. Am I right about that? I think I am. I have checked it.

JUDGE COLES: My recollection is

MR. GRIFFITHS: I am pretty certain. I do not think it was in the notes. I think it was something

MR. WALSH: I have got it, Your Honour. What it was, it was very much an estimate because I think that my learned friend was asking him to recollect back from a time of about 11.20 and then assess approximately when it was and I think it was all done in that sort of way.

JUDGE COLES: Yes. He was saying from 9.45 He did not keep much of an accurate note.

MR. WALSH: I think although Mr. Clement assented it was very much in general terms.

MR. GRIFFITHS: For Your Honour's assistance I also recollect that time is arrived at not only by working backwards but also forwards because Your Honour will have a note I think at 9.45 he had come to the decision of clearing finally and at 10 o'clock had spoken to his Senior Commanders and his estimate then at that point of the notes the move started about half-an-hour later, so we arrive at it in two different ways:

- Q. I think I am right, Mr. Clement. - A. I think that is about right, yes.
- Q. So it is between 10.20 or 10.30 or thereabouts that the move up the field starts? - A. Maybe a bit earlier, yes.

JUDGE COLES: Yes. Move up the field began about 10.20, I believe. Took about an hour to get to the bridge in three stages.

- Q. MR. GRIFFITHS: So what I suggest, Mr. Clement, is that that aerial photograph taken when it was gives the lie to your description of a continuing riotous situation with at least 4,000 pickets facing the Police line? - A. And you are saying this photograph was taken when?
- Q. Between 5-past-10 and 10.35 on the 18th of June.

MR. GRIFFITHS: Let the jury see it.

THE WITNESS: Well, I would certainly challenge that point but there we are.

Q. JUDGE COLES: What is your comment on the photograph?
I think you are being invited to comment upon it. It is suggested the photograph shows there was no continuing violence. - A. Yes.

Q. As you suggest. - A. Right.

Q. What do you say about it?

MR. GRIFFITHS: And a vastly reduced number of people.

JUDGE COLES: You say it also suggests there was a vastly reduced number of people?

MR. GRIFFITHS: Yes. So I am not seen to be taking any false point there is even a blow-up of part of it. I think it is the same shot. - certainly very close to it. - which shows a smaller area inevitably but where you can look long and hard to see anybody doing anything untoward, I suggest.

Q. JUDGE COLES: Do you have a copy of both those photographs there? - A. No, I have not.

JUDGE COLES: Have I the only one?

MR. GRIFFITHS: Yes, I am afraid that is the only one.

JUDGE COLES: Only one you have got?

MR. GRIFFITHS: Only one. I think that we can get more.

JUDGE COLES: That is Exhibit 10, is it?

MR. WALSH: 11, I think. Yes, it will be 11.

MR. GRIFFITHS: While Mr. Clement is having the opportunity - it is only fair to him has the opportunity of looking at the closer one after Your Honour - perhaps the members of the jury can see that?

JUDGE COLES: Yes, certainly. Has anybody tried counting?

MR. WALSH: There is only just one point. I suppose strictly speaking it does not become an exhibit with a number until it is in fact produced.

MR. GRIFFITHS: Yes. I will get a statement from the photographer or pilot.

JUDGE COLES: Yes, the witness does not accept the photograph. Strictly the jury ought not to see it:

Q. What are you indicating? - A. I am indicating one of two things, either the time was different

MR. GRIFFITHS: My learned friend does not want the jury to see that.

MR. WALSH: That is not right.

JUDGE COLES: It was me who raised the point.

MR. WALSH: Your Honour's point. I was anxious it be dealt with properly.

MR. GRIFFITHS: Sorry:

Q. Could you repeat that? - A. The time is wrong.

Q. Either the time is wrong? - A. Yes.

Q. Either it is not between 5-past-10 and 10.35. Right?
- A. Right. I take it this is the 18th of June?

Q. Yes. - A. Right. The only explanation for that point is that there has been a movement of horses up the field and the remainder have run back and gathered at the top of the field because they all went back. You saw them run back.

Q. That is your explanation, is it? - A. Yes. If that is at that time.

Q. It is entirely a matter for the Court. I can only go on instructions. I was not in the 'plane. All my instructions lead me to believe that is the 18th, first of all. - A. Right.

Q. And secondly, the flight times are as I have indicated. Are you prepared to accept that is right or would you prefer the jury

JUDGE COLES: He cannot. What I am merely asking you, you are going to produce evidence to prove that?

MR. GRIFFITHS: Yes.

JUDGE COLES: In those circumstances there can be no objection to the jury seeing it.

MR. WALSH: No objection to the jury seeing it at all but my learned friend will in due course produce his evidence and the jury in due course can make up its mind.

JUDGE COLES: Nobody's fault. This is not the same photograph?

MR. GRIFFITHS: It is taken in the same flight. If Your Honour looks very carefully one can see a congregation on the road. There seems to be quite a group of people on the road. If you look very carefully at the larger one one can see the congregation on the road as well.

JUDGE COLES: There is one part. I do not know. I will leave it to you. Yes.

Q. MR. GRIFFITHS: Mr. Clement, so there again is no mystery about

JUDGE COLES: Let the jury see it.

MR. GRIFFITHS: Oh, yes. If the members of the jury could just hold on one second. By way of explanation to you, Mr. Clement, and members of the jury, remember earlier in my cross-examination I indicated as I understood it the line - that is after the initial move - the line was between those two trees, remember, the first two? That is the photograph I got that information from, you see.

THE WITNESS: Ah.

MR. GRIFFITHS: I promised you should see it and you have.

(Shown to Jury)

JUDGE COLES: When the jury have finished with those two photographs I would like another look.

MR. GRIFFITHS: Your Honour, as Your Honour is waiting for that may I just put my next question to Mr. Clement so he can think about the answer?

JUDGE COLES: Of course.

Q. MR. GRIFFITHS: Mr. Clement, if you dispute the time that was taken, perhaps help us as to when you say it was taken? - A. I cannot say. I am sorry.

Q. Just think about it. - A. Yes. .

Q. Give you opportunity to do so.

Q. JUDGE COLES: Do you know how many horses there were brought out that day available for use? - A. Yes. 42. Could I juse see those again, Your Honour? See if they can indicate some sort of time.

Q. Yes. If you will just give me a moment.

Q. MR. GRIFFITHS: What may help you, Mr. Clement, is to look at the position of the line, you see. That should help us all, should not it? - A. It might do, yes.

JUDGE COLES: There is some indication from these two photographs which indicates whenever they were taken they were taken very closely after.

MR. GRIFFITHS: I think taken very closely.

JUDGE COLES: Probably the helicopter taken one over the Police line, flown over them and taken another.

MR. GRIFFITHS: Not sure whether it is a helicopter or a light aircraft.

JUDGE COLES: Well, whichever. Yes.

THE WITNESS: I am trying to see if there are any long shield Officers on the front line and I cannot.

Q. JUDGE COLES: Look at the other photograph. - A. These are taken, presumably, fairly quickly?

MR. GRIFFITHS: Yes.

Q. JUDGE COLES: Can you see any indications on them which suggest one was taken very shortly after the other? - A. No, I cannot. The thickness of the Police line would suggest if these were taken fairly quickly together.

Q. Is there any grouping of the people on the road? - A. There is a group there and there is a group there.

MR. GRIFFITHS: Yes.

THE WITNESS: Yes.

Q. JUDGE COLES: What, if any, significance do you say the presence of the long shields at the front indicates so far as time is concerned? - A. If the long shield men had not been withdrawn at that time it would indicate the fear of the stoning was continuing and they would just be left in position to protect the Officers. That is all I can suggest with them still being there.

Q. MR. GRIFFITHS: Are you prepared now, Mr. Clement, being a reasonable person, to accept you might have overstated it a little? - A. No, because we have seen on the television the numbers.

Q. Do not want to cut you off. - A. No. There may well have been an advance up here with the horses. I do not know what time this was taken. I am sorry. People did, as you say, run away.

Q. Well, that is one no doubt we will be able to establish it was between 5-past-10 and 10.35 in due course but let's leave that. Let's see whether there is another indication. There is another indication, is not there, there was not, as you put it, a continuing riotous circumstance or situation continuing? That is, I think, the point made by my learned friend Mr. Taylor about the tea break. Do you remember telling my learned friend Mr. Taylor, I think, that at one point the short shield Officers were taken away leaving, I use your term, unprotected Officers? - A.

No, I think they were the long shield Officers.

Q. Sorry. Am I right? - A. Yes, for a short period of time.

Q. I checked my note and my note tells me you put the time of that occurring at about 11 o'clock? - A. I thought it was, yes.

Q. It follows therefore that if the timing of the flight is right the members of the jury have got a picture of what was happening when that 'plane flew over? - A. Right.

Q. You then also at 11 o'clock or thereabouts a-half-an-hour into your three stage move to the bridge, such as what was happening or such as not happening you were able then to withdraw your long shields? - A. Some long shield Officers, yes.

Q. All of them? - A. Not sure that all of them went, no. That would be unlikely.

Q. Well, I suggest that there was a period when your line was in effect unprotected. No long shields? - A. I think that is right, yes.

Q. And if you are right about the time it is 11 o'clock? - A. About that time.

Q. Yes. - A. About that time, I would think, yes.

Q. JUDGE COLES: - You now accept it was all the long shields? - A. Not all the long shields, no. I think we have accepted that.

Q. MR. GRIFFITHS: I put - what - virtually the whole of the line? - A. Right.

Q. You might see the odd one? - A. Odd one.

Q. Basically was gone? - A. You probably see one P.S.U., yes.

Q. If your time is right about that, about 11 o'clock, that was half-an-hour before - I do not think I put this to you. The Police records record that my client, Mr. O'Brien, was arrested. Records indicate it was 11.30, you see. - A. 11.30?

Q. Yes. - A. Above the bridge?

Q. Yes. - A. No, so it really has nothing to do with this. We are talking about above the bridge.

Q. I am just putting matters in perspective. So if that aerial photograph is taken correctly between 5-past-10 and 10.35 the jury - I am not going to make any comments - can see what they can see on that. Then at 11 o'clock such is the lack of happening you can withdraw virtually

all your long shields and if you are right about that and if your Police records are right my client is arrested at 11.30 in the village. That is it? - A. Yes.

- Q. Now, I was drawn into putting that photograph a little earlier than I intended. Let me now go back and deal with the chronology. Your horses and these P.S.U. short shield units, six of them or thereabouts, are moving towards the crowd in Highfield Lane? - A. Right.
- Q. Those on the road are turning back on themselves and running. You agree with that. And they are going to be running through the other mass. How many horses do you say you deployed - do not want to split hairs; either through an intermediary or otherwise - up that road ahead, according to you, of the short shield units? Not under any misunderstanding of the time now, are we? - A. I know what you are talking about. Horses had gone by then.
- Q. That is the movement up. - A. I know about the movement up.
- Q. JUDGE COLES: How many horses? - A. Again I am guessing. Possibly half the strength.
- Q. MR. GRIFFITHS: Did those horses return before you called in the remaining strength of horses? What was the sequence of events? I do not think you have explained this. - A. Yes.
- Q. I am talking about 42 you sent up in the village at the later stage. I want to know whether those first horses came back or whether you sent the remainder up to join them. What happened? - A. After the first move up during which the other incident associated with this occurred
- Q. The Scargill incident occurs to your left? - A. Not that incident, not that one, on the photograph.
- Q. I agree - it is very simple. The description of the Scargill incident you described to the jury bears no relation to that photograph. - A. As long as we are under no misapprehension.
- Q. If that photograph is right, if that photograph indicates the point in time Scargill hits the deck, your description is completely wrong, is not it, of how Scargill came to fall? - A. I do not understand that at all.
- Q. If that photograph shows Mr. Scargill - forgive the slang; it is the best way of putting it - hitting the deck in the incident involving him your description does not tally with that at all, does it? - A. You are completely wrong. This is not the incident I am describing.

MR. WALSH: My learned friend's question begs another one.

JUDGE COLES: Yes:

Q. You are saying that photograph does not in any way represent what you saw? - A. Absolutely right, Your Honour. It is very near to the location of what I saw.

Q. MR. GRIFFITHS: Mr. Clement, did you not tell my learned friend Mr. Mansfield in the clearest possible terms there were not two incidents involving Mr. Scargill?

MR. WALSH: With respect, he did not.

JUDGE COLES: How he could have said that

MR. MANSFIELD: I am afraid I prompted the last question because in fact I did put it to Mr. Clement. I said you are not saying - this is the way I put it as I recollect it - he had been hit and falls down before this. Mr. Clement said no, he was not suggesting two incidents

MR. WALSH: If the witness saw one incident he cannot say he saw more than one even if there was more than one.

JUDGE COLES: That is what prompted my remark a minute or two ago. What he said was that photograph does not represent at all what I saw. It represents a place I passed but I did not see a group of people such as that shown in that photograph:

Q. And I think you also say for yourself you cannot say with certainty it is Mr. Scargill? - A. No, but I would accept that it is.

Q. You would accept that it is? - A. I would accept that it is. Just to keep the record absolutely straight, I did not say that represented a location which I had passed because in fact the incident in which I saw Mr. Scargill involved was just back to, I think, about there. From there to there, the top of that little bank, where there is a concrete post and a fence. A matter of a few yards.

Q. MR. GRIFFITHS: Mr. Clement, you are pointing that out to the jury - and I hope they have copies of this photograph - you are pointing that out to the jury because you suddenly noticed either now or in the intervening period there is no break in the fencing above where Mr. Scargill appears to be so that if your story told to the jury last week is right it must have happened to the left? - A. No break in the fencing?

Q. Other than the one to the left. - A. That is where the two men were standing.

Q. You are saying that I suggest to the jury to strive desperately to keep your account an acceptable one in the face of that photograph? - A. How do they get into

the field if the fence is not broken down, the scrap yard?

- Q. Mr. Clement, if the Scargill incident occurred there or thereabouts where Mr. Scargill is getting up - just listen to this question. - A. Right.
- Q. Do you agree he could not have got to where he was by tripping over a fence that was broken? - A. Absolutely right.
- Q. Right. - A. Absolutely right.
- Q. And what I am suggesting very simply is you are not prepared to admit you are wrong at any stage during this trial and you are saying the Scargill incident occurred to the left of that photograph because you see you must say that because there is a broken fence to the left and not above where he has fallen. That is it, is not it? - A. Quite wrong. Quite wrong.
- Q. Leave that. I am not going to make - it is a matter for the jury. Let's get back to the point I was asking about. Now, these horses, thinking back on it, did you send horses to reinforce those horses you sent up ahead of you or did they all return and you sent them up all at one time, the 42?

JUDGE COLES: There is a third possibility, is not there? Send up all of the horses, the rest of them, so all are up, the first lot comes back, they are all sent up together. Third possibility is the first lot come back and are replaced by a second lot?

MR. GRIFFITHS: I prefer not - just trying to get the story from the witness:

- Q. You just say what happened, Mr. Clement. You are in charge or supposed to be in charge of these units. - A. Well, the Sector Commanders would have a better idea but at one stage all 42 horses were away from the bridge towards the village and that was to allow the Police Officers to withdraw to the bridge.
- Q. The deployment of horses is an important and serious measure for dispersing crowds. Agree? - A. Yes, it is.
- Q. I am not going to go over what you have been asked but you have made it clear that it is your decision to deploy horses. Am I right? - A. Right.
- Q. I cannot quite remember. Is that something you delegate or not? - A. Yes, it is in certain circumstances.
- Q. But only in dire emergencies, I think? - A. Yes.
- Q. You are not suggesting it was a dire emergency when you were standing on top of the parapet? - A. No.
- Q. Right. So I am asking you - the jury will follow why I am

asking - you are the person responsible therefore for the deployment of these horses? - A. Yes.

- Q. You have not quite answered the question. You are standing in the road, there is an incident involving Scargill, the short shield units have gone up ahead of you, some horses in front of them, according to you. Now, what happens then? - A. Well, after the Scargill incident when he was taken away by ambulance
- Q. We are dealing with the deployment of troops, if one can put it that way. - A. Yes. The Police Officers withdrew and held the line on the bridge.
- Q. Did you send any more up? - A. Oh, yes, yes.
- Q. Let's get it in sequence. There are reasons for this. - A. I said the whole 42 went up.
- Q. Something very unpleasant occurred to my client. All these questions are relevant and pertinent. Now, you have told the jury the horses and six or so short shield units were sent into the village? - A. Yes.
- Q. Were any other units let loose up there? - A. Not let loose. There were other horses sent up there, yes.
- Q. Right. When? At what stage. If you are able to describe what happened to Mr. Scargill surely you can answer these questions as to what happened, in fact the part of this case which concerns virtually all these defendants? - A. You are talking about particular times.
- Q. I have not asked about times. Just asking you to describe what Police Officers, specialised units or whatever, you depoloyed. You must have seen. You were standing there in the area, with great respect, Mr. Clement. Just tell us. Move 25 yards up, the first lot have gone up ahead of you and this incident has occurred. I do not want to know whether you said hello to Mr. Scargill. Just tell us what other units went past you, you sent in, into these 8,000 people running and milling around. - A. They were not then going over the brow of the hill.
- Q. You know what I am asking you. Answer it. - A. I have said the residue of the horses. That is whatever did not go up, the remainder, to make up the 42 went up there to cover the withdrawal of the Police Officers who had gone up.
- Q. What units had you sent up there before you sent the rest of the horses? - A. Did I not say half? About half.
- Q. JUDGE COLES: The last you say was about six.
- MR. WALSH: Talking about horses, I think, at the

moment.

THE WITNESS: Six P.S.U.s but half the horses.

MR. GRIFFITHS: Right.

- Q. JUDGE COLES: Half the horses were sent up. At one stage all 42 horses were, to use your words, away from the bridge in order to allow the Officers to withdraw back? - A. This is exactly what I am saying. The residue of those had gone up.
- Q. MR. GRIFFITHS: I cannot seem to get in detail when the horses did go up. Let's see if there were any other foot Officers sent into the village. We have got six P.S.U.s. or - sorry. Short shield, short shield Officers? - A. No, they are short shield P.S.U.s.
- Q. Six of those in and about the multitude. Now, what about any other foot Officers? - A. I do not know. I do not know.
- Q. How much control did you have of what your Officers were doing at this stage? - A. Full control because Sector Commanders with all the Officers.
- Q. If you do not know what other Officers deployed and you were actually on the spot am I to ask the other Officers and not you? - A. Well, you can do.
- Q. How much discretion did you give these other Officers? - A. In what respect?
- Q. First of all in where to go. - A. No, it was their job to clear the area. If they thought clearing the area was to go up to the road junction that was it.
- Q. JUDGE COLES: You could not see over? - A. No.
- Q. Never did? - A. No, I did not.
- Q. Six units, over 130 people, is not it, 130 short shield Officers? - A. Plus the 42 mounted horses.
- Q. All those would be on the ground? - A. At some stage.
- Q. Out of your sight? - A. Yes.
- Q. MR. GRIFFITHS: Do you accept in addition to those you allowed; whether you instructed this to happen, but you allowed the protected long shield Officers to go up there as well? - A. There may well have been some, yes.
- Q. Now, let's deal with the conduct if we can of your short shield Officers so far as you can help. Short shield units, as you explained at the beginning of my cross-examination, keep together. They come from certain Police areas? - A. Yes.

Q. Some from South Yorkshire? - A. Yes.

Q. They all receive the same basic training albeit in different parts of the country. That is as far as we got this morning, I think.

JUDGE COLES: Yes.

THE WITNESS: I would think they probably do.

Q. MR. GRIFFITHS: How much training do they get? I do not want to go into too much detail. Just give the members of the jury some idea. - A. I think it is one day a month.

Q. Training as a team? - A. Yes.

Q. Are they taught different ways of dispersing hostile crowds? - A. I suspect they are, yes.

Q. And you told me this morning that the training is based on, in part any way, the relevant sections in the manual? - A. Yes.

Q. You have so far indicated to the jury that Police Officers on this day would only use their truncheons to effect, I think, an arrest and if the person struggled. Am I right? - A. No, that is wrong.

Q. That is wrong, is it? - A. If the person struggled there would be no need to use a truncheon unless it was a violent struggle and the Officers were being attacked.

Q. So the situation is on this day nobody should have been struck with a truncheon unless that person was violently struggling or fighting with a Police Officer? - A. This day or any other.

Q. Is that right? - A. H'm.

Q. I suggest, Mr. Clement, put what I am about to ask you about in perspective, that on this day, the 18th of June, above the bridge - you have been questioned about below the bridge by my learned friends - but above the bridge so far as directly relevant to my client that Officers who should have been under the careful control of either you or their Senior Officers went berserk and hit out at random with their truncheons. Now, if that happened do you agree it should never have happened? - A. If that happened it is wrong. Officers should never go berserk. But I am not accepting they did. You will have to ask the Officers themselves.

Q. In order to assist the jury to decide at the end of this case whether it did happen it may help them to know what training those squads of short shield Officers had. Did

you give any instructions to your Section Leaders as to what particular training technique, what particular manoeuvre, they should adopt in dispersing the crowd?
- A. No.

- Q. You understand what I am referring to, do not you? - A. I know what you mean, yes.
- Q. So the jury can understand it, in that manual you have referred to there are detailed manoeuvres laid down for dispersing hostile crowds? - A. Yes.
- Q. Now, the squad of short shield Officers, they are a potentially dangerous unit to use, are they not, because they are trained to move quickly and to act quickly? - A. As quickly as their equipment will allow, yes.
- Q. Do you agree you have to control their use with great care? - A. That is why there is always an Inspector and two Sergeants with them, yes.
- Q. Now, why did not you tell your Officers what manner they should adopt for dispersing this crowd? - A. Because I had no idea what they were going to meet when they got over the brow of the hill.
- Q. You were giving them carte blanche, were you? - A. No. I was saying to the two Senior Officers, one a Superintendent, one a Chief Inspector, who were going to control that situation take your men. See what the situation is. Disperse it.
- Q. Would you therefore have expected those Senior Officers if they were acting properly to tell their men which of the different methods of crowd dispersal their men should adopt? - A. What I would have expected those Senior Officers to do, once they got in sight of the hostile crowd would be assess the situation and make up their minds then what they are going to do.
- Q. That is not an answer to the question. Would you anticipate, expect, your Senior Officers once they had assessed the situation to explain to the men under their control the manner in which they wanted this hostile crowd dispersed?
- A. Yes.
- Q. Right. - A. Yes.
- Q. And now we are talking about, are not we, Mr. Clement, adopting one or more of the manoeuvres laid down in the manual and no doubt taught to those individual squads when they received their training? - A. Yes, one or more manoeuvres laid down to deal with specific incidents.
- Q. Right. Now, I have suggested, whether by design or by lack of control, at least one or more probably of those short shield units struck persons to the head indiscriminately.

Now, first of all, is it within the manual Police Officers are allowed to strike persons even though there has been no struggle by that person or persons? - A. No. I answered that some time back. The only time they are allowed to use their truncheon to strike anyone is when there is a violent struggle; they are under attack.

Q. Right. Would you like to have in front of you, please, the sections? These are the ones my learned friend for the Crown has disclosed to me.

MR. WALSH: . I think a copy was put before Your Honour.

JUDGE COLES: Yes.

MR. WALSH: I hope it is.

JUDGE COLES: Use of truncheon.

MR. WALSH: No. It is the one relating to short shield units. Does Your Honour not have it?

JUDGE COLES: No. The only one I have - let me identify them for you. I have the use of

MR. GRIFFITHS: I do not think - Your Honour, as I understand it there are no copies. I had to take it down longhand.

JUDGE COLES: Use of truncheons. Identification of Police Personnel. Mounted Police. That is it.

MR. WALSH: I felt sure we had copied the other one as well for Your Honour. I have a spare copy here if that would help.

JUDGE COLES: Thank you very much.

MR. WALSH: I think in fact one sheet is loose and should go in where I have put it.

JUDGE COLES: Yes, yes.

Q. MR. GRIFFITHS: Now, I am going from memory, Mr. Clement, with my notes. I have not a copy. My learned friends have not a copy of this document. I have written it down. In haste I may have some words wrong. I hope the members of the jury will bear with me. What I have here - I do not know whether you have any more - manoeuvre 5, manoeuvre 6 and manoeuvre 7. Do you have those? - A. Yes, I have, yes.

Q. Do you agree that those are different forms of manoeuvre to be used by short shield units to disperse hostile crowds? - A. Basically they are three manoeuvres designed to disperse hostile crowds, yes.

Q. They would be manoeuvres as we have already established

which would have been taught to short shield units when they were being instructed in the role they may have to perform? - A. Yes.

- Q. The manoeuvre 5, if there is the odd word wrong - perhaps you had better read it out, manoeuvre 5, so I can ensure in haste I have written down correctly what it says. - A. Manoeuvre 5. Brief description. Baton charge to disperse

MRS. BAIRD: I hesitate to interrupt. Can Mr. Clement please go more slowly?

- Q. JUDGE COLES: You heard that. Can you go a little more slowly and remember the jury have not a copy of this?

MRS. BAIRD: Could he perhaps start again?

THE WITNESS: Manoeuvre 5. Paragraph (a). Brief description. Baton charge to disperse hostile crowd. Paragraph (b). Detailed description. All Officers are issued with short shields and short batons. The unit forms into two single files comprising ten men each under the command of a Sergeant

MR. O'CONNOR: Too fast.

- Q. JUDGE COLES: Watch Mrs. Baird's pen.

MRS. BAIRD: If you could go back.

THE WITNESS: comprising ten men each under the command of a Sergeant behind the long shield cordon. When it is relatively safe to do so

JUDGE COLES: I am just thinking, the jury would no doubt like a short break, would it make more sense in that break if Counsel were to take this down then rather than do it in Open Court?

A JURY MEMBER: Hear! hear!

JUDGE COLES: I hear one voice of assent from the jury. Members of the jury, I require no more. I will adjourn. I intend that to be used for this though so we can save the time.

(Short Adjournment)

ANTHONY RAYMOND CLEMENT Recalled

Cross-examined by MR. GRIFFITHS:

- Q. Better have this back, Mr. Clement. So Manoeuvre 5, just read it out normal speed so we can follow the meaning of it. - A. This is not, I believe, to write down?

Q. No. - A. Exception the shorthand writer.

Q. JUDGE COLES: Yes. - A. Brief description. Baton charge to disperse hostile crowd. Detailed description. All Officers are issued with short shields and short batons. The unit forms into two single files comprising ten men each under the command of a Sergeant behind the long shield cordon. When it is relatively safe to do so the files march forward either through or around the flanks of the long shield cordon. On the command they form a cordon two deep across the road ensuring that the rear line have a clear view and path ahead of them. The cordon march forward on the crowd and if missiles are thrown charge with batons drawn in an effort to disperse. Objectives must be given and the charge should not be for more than about 30 yards. Meantime the long shield cordon should advance to gain ground and provide protection for retreating short shield Officers.

Q. MR. GRIFFITHS: That is it, is it? - A. That is manoeuvre 5.

Q. That is manoeuvre 5. So that would be one of the manoeuvres taught to the short shield squads or should have been taught to them during their training? - A. Right.

Q. So the word the members of the jury can have in their minds, charge, is used there. Words to this effect - this is my own note - if missiles are thrown charge with batons drawn in an effort to disperse the crowd. Is that the gist of it? - A. In an effort to disperse. That is what it says here, yes.

Q. According to your evidence, Mr. Clement, when the Officers went up the road - that is Highfield Road - according to you, missiles were being thrown. Yes? - A. Yes, yes.

Q. The whole object of the exercise was to clear and disperse the crowd? - A. Right.

Q. You told the members of the jury you saw nobody other than walking in your sight? - A. That is right.

Q. That is not true, is it? - A. Yes, it is.

Q. And before we deal with the other manoeuvres I suggest that you have got it wrong when you say that you were following short shield Officers who in turn were following some horses. - A. Yes.

Q. Do you think you could be wrong about the horses in front of those short shield men? - A. I do not think so, no.

Q. You say you do not think so. - A. No.

Q. Is it possible you might be? May I help you a little when you are thinking about it? What I suggest, Mr. Clement, is

that whereas you had said - in fairness to you I do not take a false point - you have said so far as you can tell no Officer disobeyed your instruction about going no further than the bridge. As far as you are concerned they remained at the bridge? - A. Yes.

Q. What I suggest where you are in error is the horses that went up Highfield Road went up Highfield Road probably before you got there and were returning when you arrive and that when you sent your short shield Officers that is when the Scargill incident occurs. Wherever it did occur they were in the road, they were not following any Officers at all. Do you think you could be wrong about that? - A. No.

Q. Before we go on to deal with any other manoeuvres I want you to look at these photographs.

MR. GRIFFITHS: They will be proved, Your Honour:

Q. Taken by Mr. Arthur Wakefield who - A. Yes, the fat man, yes.

Q. No.

MR. MANSFIELD: The man with the suit and all the badges.

THE WITNESS: Yes.

MR. GRIFFITHS: Three for the members of the jury. If they could possibly share. One for Your Honour. One for my learned friend for the Crown:

Q. One for you, Mr. Clement.

(Distributed)

Q. MR. GRIFFITHS: Perhaps the members of the jury and His Honour will follow as we look at the photographs and you can familiarise yourself with them. They are all together in this particular bundle at the moment. Five photographs.

MR. GRIFFITHS: They are numbered on the reverse, members of the jury:

Q. There are six photographs. They start with zero. Start with zero, 1, 2, 3, 4, 5, so there are six photographs. I am sorry. Does your bundle accord with that? - A. Yes.

Q. If you could turn to photograph No. 1? - A. No. 1?

Q. I am sorry. The first photograph. - A. Zero.

Q. Number zero. Forgive me. Another piece of information which you ought to know, Mr. Clement. When these

photographs are to be proved by Mr. Wakefield the order, that is the order that they appear in this bundle, is the order that they appear in the negatives and the order they were taken. Will you accept that from me?

- A. For the moment, yes, yes.

Q. As far as certainly I have checked it and I am not the only one. So they show us part of the incident obviously from a certain vantage point? - A. Right.

Q. The vantage point must be, would you agree, if you look at photograph zero it is on the village side of the bridge and the members of the jury may remember as we came over the bridge walking up to the village on the extreme left I think there was some wooden fencing that had a gap. You could stand there and look directly across. Now, that first photograph shows clearly part - it shows what was happening to the pickets while your men were driving towards the bridge. Agree? Probably is right, is not it? - A. About 15 men running down a bank.

Q. Yes. - A. Yes.

Q. Look at the next photograph. It would rather suggest bearing in mind the movement of a very large number of people that shows another shot of what was happening when your men were driving up the road towards the bridge? - A. Right. It could do that, yes.

Q. Then we get to photograph number - it is the third photograph in the bundle, photograph No. 2 in fact because they start at zero. That is the next photograph. Clearly now you can see your men. They have come up to that fencing. Do you remember a fencing around the electricity sub-station? - A. Yes.

Q. The members of the jury will remember it. Now the next photograph

JUDGE COLES: Which photograph are you looking at when you say you can see your men at the electricity sub-station?

MR. GRIFFITHS: That is the third photograph in, No. 2 on the reverse but it is the third photograph.

JUDGE COLES: Yes.

Q. MR. GRIFFITHS: The next photograph is a view of horses clearly coming back towards the bridge. Agree? - A. Yes.

Q. So it follows, does not it, and if you look at where the pickets are some have, it would appear, Mr. Clement, would you think this reasonable to infer, have been obliged to go into the field - possibly do not want to use the word driven into the field - on the right? - A. They have

certainly been prudent and I would think gone over the wall.

- Q. It follows those horses - do we see a group of horses, seven together? Is it seven? - A. Seven horses there.
- Q. And one coming - A. the other way.
- Q. The opposite direction. They are coming back? - A. Yes.
- Q. Clearly there has been a drive at least to the top? - A. There has been a drive but I do not know where it stopped and where those horses turned back.
- Q. Now look, the next one shows some Officers on the bridge but the next one shows a familiar face? - A. Yes.
- Q. Mr. Scargill? - A. Yes.
- Q. People around him. Yes? - A. Yes.
- Q. And you know the area, Mr. Clement? - A. Yes.
- Q. You see there are some people in an elevated position on the bank there? - A. That is it.
- Q. There is some foliage behind Mr. Scargill on the bank. That, would you agree, is a shot of a number of persons standing around in the road around Mr. Scargill somewhere along Highfield Road? We cannot say how far down. Would you be able to help us as to how far down? - A. Not from that picture. They are somewhere in Highfield Lane, yes.
- Q. That photograph was taken after the proceedings, you see. - A. Yes.
- Q. Now, according to you today the first drive of Police occurred after you gave the instruction, after you had been up on the parapet there they were all assembled and you walked 20 yards behind that first move up the road. Would you agree that clearly if these photographs are in proper sequence - please accept so far as they can be checked with the negatives they are - it means there was a horse charge or movement before the one that you have told the jury of? Do you follow? - A. I honestly cannot say. I do not know. There are horses in Highfield Lane over the bridge. There are also some short shield Officers I can see here over the bridge.
- Q. Can I help you in this way again? - A. Yes.
- Q. Look at the photograph of Mr. Scargill. Now, you spoke to him. You have told the jury how dazed he was? - A. Yes.
- Q. He is standing well and truly on the road. He looks so far as looks can tell compos mentis. It would appear that is a shot before the Scargill incident. Agreed? - A. I would think so, yes.

Q. Right. You have put the Scargill incident as occurring in the first designed movement of Police, part of it, up Highfield Road? - A. Yes.

Q. If the sequence of these photographs is right well before we get to a point where Mr. Scargill is in the road because he certainly is not in the road so far as we can see in photograph

MR. GRIFFITHS: That is this one, members of the jury:

Q. Is he? - A. In photograph which one?

Q. In photograph No. 3. That is the fourth one in. - A. He is certainly not in the road.

Q. So he clearly must have got into the road after that photograph was taken and he must have been struck. As you have agreed, he does not look as though he has just been struck there? - A. I would not think so.

Q. Certainly struck after that? - A. Certainly struck after this photograph, I would say.

Q. Remember what you told us before, that is you were in control of your Officers. You said so far as you could say no Police movement of any significance above the bridge before you ordered it? - A. Right.

Q. If this sequence is right you must be wrong. Do you agree? I am not going to go over it again. - A. I do not know what the times of these incidents are.

Q. You are not prepared to accept - A. I would like to know what the times are because I have got hundreds of photographs of this sort of thing.

Q. Does not matter so much about the time. Talking about the sequence.- A. Yes.

Q. Those photographs have been checked with the negatives.

MR. WALSH: My learned friend had better put his evidence rather than give it and I say that with great care.

JUDGE COLES: I will certainly allow you to put your case. You have given an undertaking there is evidence you are going to call. This witness must be allowed to comment.

MR. GRIFFITHS: I thought it would be wrong for me to suddenly call evidence at a later stage producing this evidence which in fact I could submit cuts across what this witness submits without giving him the opportunity of commenting on it.

MR. WALSH: I do not dissent from that. My learned friend as to the sequence in which they were taken must

call his evidence.

MR. GRIFFITHS: That is the whole point:

- Q. I am giving you the opportunity to explain if you can. If the sequence of these photographs is right I am putting to you very shortly the horses in particular must have at least gone up Highfield Road before you ordered them so to do, Mr. Clement? - A. If this sequence of photographs is correct some horses obviously went over the bridge before the move up into the village.
- Q. And where I suggest you are wrong about what you earlier said if we are right about the sequence there so, I suggest, to make it abundantly clear you are wrong about the units you dispatched up Highfield Road when the Scargill incident occurred, suggesting no horses there - the horses had come back - you used them later as an onslaught, the 42. Do you understand what I am suggesting? - A. No, I do not think that is quite right. I thought it was the horses that went over the brow of the hill certainly came back. I was following them at the time of the Scargill incident. This is what I have said, yes.
- Q. I am just suggesting to you as I am bound to do putting my case.
- Q. JUDGE COLES: I think it is simple. Let's see if I understand it. What I think is being put is this. There is photograph 3 which Counsel says has been taken before photograph 5.
- MR. GRIFFITHS: Yes.
- Q. JUDGE COLES: Photograph 5 shows a Mr. Scargill who thus far has not been on the ground? - A. Yes.
- Q. Since photograph 3 was taken before photograph 5 horses must have been up to the village and back again before Mr. Scargill went to the ground? - A. Yes, this is what I have conceded, yes.
- Q. Do you say your account of things is wrong or the sequence of photographs is wrong? What do you say about that argument? - A. I am saying if this sequence of photographs is correct it is quite obvious some horses have gone over the bridge and there are also indications here of a couple of Officers who have gone over the bridge. How far they have gone up I do not know.
- Q. If they have gone up obviously gone up without your authority? - A. I certainly did not know they had gone over. If other Officers did I do not know. I will concede that point, if these photographs are taken in this order some Officers have gone over the bridge before I was aware they went over in some strength to go into the village.

- Q. Either they have heard your order not to go beyond the bridge and ignored it or they have not heard your order not to go over the bridge? - A. Yes, or something has happened over the bridge to cause them to decide to act on their own initiative.
- Q. MR. GRIFFITHS: While we are on this photograph, if they have gone over the bridge, using your term, acting on their own initiative and up to the road they would have done so even before you got to the bridge. Agree? - A. I think that is likely, yes.
- Q. So if that is right we are seeing the state of the road so far as this can help us clearly at that moment in time just before you got there? - A. Yes. They have obviously moved back.
- Q. Yes. Just before you get there because they would have been back by the time you get there? - A. That is guesswork.
- Q. Would you like me to remind you how at one stage you described the scene over the bridge some days ago now, Mr. Clement? - A. Yes.
- Q. Again it may help the jury as to whether you are accurate. You were asked what you saw when you first came over the bridge. - A. Right.
- Q. My note is this. Road surface was absolutely littered with stones and bricks. Walls had been damaged. But in fairness to you you did add but no barricades. - A. Right.
- Q. Now, that photograph does not exactly tally with a description, does it, road surface was absolutely littered with stones and bricks. Walls had been damaged? - A. Have you a photograph down this way because this is towards the bridge?
- Q. Well, I think the cameraman has turned round. Look at the next photograph. There are a few cans, are there not? Cans? - A. And stones.
- Q. Paper. All right. But that is how you described it. Would you perhaps like to change that description a little now? - A. No. There are stones on the road there.
- Q. I leave that. - A. Someone has thrown them.
- Q. I leave that for the jury. Let's move on. Now, let's go back to the manoeuvres in this book and what I am suggesting happened and the jury will have to decide whether it did is that the short shield Officers, that is when they were sent by you through your intermediaries up Highfield Road and we have the Scargill incident and then other people arrested, one of whom the jury will hear was my client, that they ran with the batons in their hand and charged the pickets as opposed to merely walking as you describe it. Do you

disagree with that? - A. They charged up the road?

Q. They charged. - A. Up the hill?

Q. Up the hill at the gathered multitude turning them and then all pandemonium breaks out with the pickets turning on themselves and running into themselves. Absolute chaos amongst this village. That is what I suggest you set loose. - A. These are the men wearing the helmet, carrying the shield?

Q. The short shield. - A. Yes. And the truncheon?

Q. Right. - A. And wearing their so-called steel capped boots?

Q. You say it is impossible to run? - A. Oh, no, no, no. And the shin pads and the box?

Q. Do you say it is impossible to charge? - A. Can I just finish?

Q. Please do. - A. And the box and shin pads and the steel capped boots?

Q. Yes. - A. Running up a hill towards a large number of pickets?

Q. Can I just correct you? Not just up the hill. Over the brow of the hill. Chasing them right back and into amongst the houses? - A. So we have got about 150, 200, 250 yard dash?

Q. Yes. - A. They are fitter than I thought.

Q. You deride the suggestion I made? - A. 250 yards.

Q. You deride it, do not you? - A. I certainly do.

Q. Supposing your own manual talks about charging. It would be more likely it occurred, would not it? - A. Not necessarily.

Q. Let's read what your next manoeuvre is said to be. - A. No, no. That is not the next manoeuvre. The next recommendation, the Officers in charge of the P.S.U.s can use or not. It is their decision.

Q. It may help the jury to hear what it amounts to. - A. Manoeuvre 6.

Q. Would you like to read manoeuvre No. 6 to the jury? - A. Yes. Manoeuvre 6. (a). Brief description. Short shield baton carrying team deployed into crowd. (b). Detailed description.

Q. Deployed into crowd. Basically what we are dealing with. Dealing with dispersing a very large crowd? - A. No, no,

no. Manoeuvre 5 is the baton charge to disperse the hostile crowd. Manoeuvre 6 is when you are (Inaudible) a hostile crowd. That was not this situation.

- Q. I am not going to argue with that. Just read it out. - A. I thought the suggestion was they were some distance back and our people chased them.
- Q. Just read it out. - A. Manoeuvre 6. (a). Brief description. Short shield baton carrying team deployed into crowd. (b). Detailed description. Long shield cordons are deployed across the road. Behind the long shields units are deployed all with short/round shields.
- Q. Could you just come to the point where it says, "On the command the short shield Officers" and then describe the meat of it? I do not want to cut you out. - A. It does not matter to me. On the command the short shield Officers run forward either through or around the flanks of the long shields into the crowd for not more than 30 yards. They disperse the crowd and incapacitate missile throwers and ringleaders by striking in a controlled manner with batons about the arms, legs or torso so as not to cause serious injury.
- Q. So there is a manoeuvre that these men would have been trained at adopting. Am I right? One of the options that they would have been trained to do? - A. Yes, into the crowd.
- Q. Yes. Now, and what it appears licence is being given to these trained short shield Officers is to go in not only to disperse the crowd but to incapacitate. Is that right? - A. Incapacitate missile throwers.
- Q. Is that one therefore of the recognised options? - A. Yes. If a man - and this is to cover all sorts of situations, as I said, it was the inner city riots which brought this about. If a man is standing there with a petrol bomb in his hand a Police Officer hits him a very hard blow, might even break his arm to incapacitate him, stop him throwing a petrol bomb.
- Q. It is certainly within the training of these to not only charge with batons raised but to in fact use the batons on other persons even though those other persons have not physically resisted arrest or physically fought with them? That is what this means, does not it? - A. They are incapacitating missile throwers.
- Q. Yes. So it means they have a licence according to this manoeuvre to strike at persons whom they rightly or wrongly believe to have thrown something? - A. Well, whether that is true or not; they are told to incapacitate missile throwers.
- Q. Now, Mr. Clement, I am sure you will appreciate if you

have not appreciated before because of these different manoeuvres, the different latitude given to these trained men, how important it is to tell them precisely what they should be doing. Agree? - A. Right.

- Q. So we should hear if things have been done correctly from either Mr. Hale or Mr. Povey they said to the men right, we are doing either this manoeuvre or that manoeuvre? Agreed? - A. Yes, and then the Inspectors will tell you whether they had to adapt.
- Q. In deciding on these sort of tactics - again I say rightly or wrongly - left to the judgment of an individual Officer on a very hot day he can hit someone according to this who he believes rightly or wrongly may have thrown something? That is what it means, is not it? - A. He is told he can hit people who are throwing missiles, not whether he believes they are, if they are throwing missiles.
- Q. How do you think one of the peaceful persons, the 70 per cent, are going to react to seeing Police Officers, from the other point of view, seeing Police Officers charging in and striking persons? Do you think that would help the situation? - A. No, of course it would not but
- Q. It would inflame the situation, would not it? - A. it had to be done.
- Q. It had to be done? - A. Because they were missile throwers.
- Q. So this tactic had to be done and it was set in motion by yourself? - A. Yes.
- Q. In this small village? - A. Well, no.
- Q. You saw persons - A. No, no.
- Q. with your own eyes leaving the scene before you started it? - A. Yes, but it was not in the village.
- Q. Let's go on to manoeuvre 7. This one again uses, does it not, an option? The meat of it - let me put this to you - I do not know how long it is, my note of it. It starts manoeuvre 7. This unit will initially be protected - explains how protected. Presumably by the long shields. Then the meat of it is this, will run at the crowd in pairs to disperse and/or incapacitate. - A. Yes.
- Q. Disperse and/or incapacitate. - A. Yes.
- Q. Does it define how a person should be incapacitated? Does it? - A. The previous paragraph has described how the person should be incapacitated, by striking about the arms and legs and torso.
- Q. We have come a long way, have not we, Mr. Clement, from your rather narrow description to the jury earlier today about the truncheons being only used by a Police Officer in a

defensive position when he is being attacked or when the arrest is being resisted? - A. This is our standing orders as opposed to this manual of guidance. The standing order says the truncheon will only be used by an Officer to defend himself or if it is necessary to in effect arrest a violent person. Now, the manual is different. It is a different situation. This is a riot situation and different standards apply.

- Q. Perhaps we are all more informed. The jury are more informed now as to how these truncheons are even designed to be used. Now, I repeatedly said rightly or wrongly that is when it is left to an individual Officer even if he is sticking to these guidelines of only striking at somebody who he believes to have thrown. You have been a Police Officer for many years, have not you? - A. Yes.
- Q. You are aware, are you not, that in the seventies there was considerable concern about misidentification, in other words, people wrongly identifying people in even good conditions? You can remember the cases that have come through the Courts, can you not, and the guidelines laid down by the Attorney General? - A. I have seen a series of allegations on misidentification and I have seen guidelines laid down in relation to identification.
- Q. Yes. Laid down by the Court of Appeal. Do not you remember now a very famous case of Turnbull? - A. Yes, about nine points.
- Q. I am sure you can remember it. - A. Yes.
- Q. You can confirm, can you, the reason for that is because of the dangers even in good conditions of one person identifying another person? - A. We are all aware of that, yes.
- Q. It would be deplorable, would it not, for a man to travel to Orgreave to be one of the 70 people(sic) who is acting peacefully who went to sleep if he did in Asda car park and then to be struck by one of your Officers - and I will be charitable - mistakenly? - A. When he was asleep?
- Q. No.
- MR. WALSH: That is what you said.
- Q. MR. GRIFFITHS: Returning and in the village being struck. It would be appalling for such a person had he not thrown anything at all. It would be appalling? - A. If he had not done anything, yes, I agree.
- Q. I started my cross-examination by helping you and telling you my client, Mr. O'Brien, went to hospital with Mr. Scargill. - A. Yes.
- Q. You saw Mr. Scargill. You were there. You saw the ambulance going. You have seen Mr. O'Brien today. I would like you

to look at a photograph which he will identify taken of him moments before he steps in the ambulance.

JUDGE COLES: Mr. O'Brien?

MR. GRIFFITHS: Mr. O'Brien:

- Q. Will you look at that, please? Does that bring memory of him flooding back? - A. No, it does not.
- Q. Well, that was Mr. O'Brien. - A. I can see Mr. O'Brien.
- Q. That was the 18th of June. - A. Yes.
- Q. That was just before he steps into the ambulance. You can recognise the place, cannot you, if you look carefully? - A. Yes, coming up towards the houses on the right.
- Q. You can? - A. Yes.
- Q. Now, do you know - you did not see him, did you? - A. Not that I am aware, no.

JUDGE COLES: Do you want us to

MR. GRIFFITHS: Yes, I would.

JUDGE COLES: I gather it is the only copy, such a large one.

(Shown to Judge)

MR. GRIFFITHS: At the moment. To my hand it is.

JUDGE COLES: I do not know if you need to

MR. GRIFFITHS: There may be other copies. In fact there are other copies but I do not have them right now.

JUDGE COLES: Yes. See it.

(Shown to Jury)

JUDGE COLES: Take it we will organise exhibit numbers a little later again?

MR. WALSH: Certainly.

(Shown to Counsel)

- Q. MR. GRIFFITHS: Mr. Clement, my last question is this. You would expect, would you not, arresting Officers to at least have some explanation as to how those injuries were sustained, would not you? - A. Absolutely, yes.
- Q. Other than affrays, during a struggle upon arrest there occurred some injury you would want to know more, would not you? - A. If I had seen that I would have said yes,

how did it happen, but I saw so many injuries that day.

Q. What I suggest, Mr. Clement, is that the Officers simply unfortunately got out of control and struck a completely unprovoked blow to my client as he was standing hiding from your other Officers in an alleyway. - A. Well, you must ask the Officer.

JUDGE COLES: Yes. I do not suppose you want to start tonight, do you? Half-past-4.

MR. REES: I do not think so.

JUDGE COLES: Very well. We will adjourn until 10.30 tomorrow.